

# FEDERAL REGISTER

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## Regulations

### TITLE 7—AGRICULTURE

#### Subchapter A—Office of the Secretary

[Conservation Order DA-1]

#### PART 3—MILK AND MILK PRODUCTS

##### SPRAY DRIED SKIM MILK

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain foods for defense, for private account, and for export. The Food Requirements Committee of the War Production Board has determined that at least 90 per centum of the production of dried skim milk is needed to meet governmental war requirements; therefore, the following order, issued pursuant to authority conferred by Directive No. 12<sup>1</sup> dated October 31, 1942, of the War Production Board, is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3.1 *Conservation Order DA-1; spray dried skim milk*—(a) *Definitions.* (1) "Spray dried skim milk" means dried skim milk produced by a spray process.

(2) "Dried skim milk" means the food products, variously known as "dried skim milk," "powdered skim milk," or "skim milk powder," which is made by drying sweet cowsmilk from which the fat has been separated and which conforms with standards promulgated<sup>2</sup> for such product under the Federal Food, Drug, and Cosmetic Act.

(3) "Person" means any individual, partnership, corporation, association, or other business entity.

(b) *Restrictions on manufacturers.* (1) Every manufacturer of spray dried skim milk shall set aside at least 90 per centum of the spray dried milk produced by him during the period November 5, 1942, to November 30, 1942, inclusive, and during each subsequent calendar month for delivery to the Agricultural Marketing Administration (Federal Surplus Commodities Corporation), Army, Navy, Marine Corps, Coast Guard, War Shipping Administration or any other gov-

ernmental agency designated by the Secretary of Agriculture.

(2) If no governmental unit, or agency, specified in paragraph (b) (1) has contracted for, or declared its intention or desire to contract for, any portion of the set-aside quantity within 30 days after the end of the month in which such quantity was set aside by the manufacturers, such manufacturers may be deemed released from the restrictions of paragraph (b) (1). Quantities set aside may also be released by notice to that effect from the Administrator, Agricultural Marketing Administration, United States Department of Agriculture, or from any governmental agency specifically authorized by him to issue such notice.

(3) The restrictions of paragraph (b) (1) shall be observed without regard to existing contracts or any payments made or any other action taken thereunder. However, this order shall not be construed as reducing the amount of spray dried skim milk which any manufacturer thereof is required to offer to any governmental agency specified in paragraph (b) (1) under existing contracts with such agency.

(c) *Reports.* Every person to whom this order applies shall execute and file such reports and answer such questionnaires as the Agricultural Marketing Administration, United States Department of Agriculture may from time to time direct.

(d) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal in writing to the Agricultural Marketing Administration, United States Department of Agriculture, setting forth the pertinent facts and reason he considers he is entitled to relief. The Administrator, Agricultural Marketing Administration, may thereupon take such action as he deems appropriate.

(e) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Department of Agriculture, Dairy and Poultry Branch, A. M. A., Washington, D. C. Ref: DA-1.

(f) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order,

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<sup>1</sup> 7 F.R. 8857.

<sup>2</sup> 5 F.R. 2543.



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wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance. (W.P.B. Dir. 12, 7 F.R. 8857)

Done at Washington, D. C., this 3d day of November 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,  
Secretary of Agriculture.

[F. R. Doc. 42-11392; Filed, November 4, 1942; 11:15 a. m.]

## Chapter I—Agricultural Marketing Administration

### PART 27—REGULATIONS COVERING COTTON FIBER AND SPINNING TESTS

Promulgation of regulations of the Secretary of Agriculture governing cotton fiber and spinning tests under the Act of April 7, 1941.

Pursuant to authority conferred by the Act of April 7, 1941 (Pub. Law 30, 77th Cong.) authorizing the Secretary of Agriculture to make analyses of fiber properties, spinning tests, and other tests of the quality of cotton samples submitted by cotton breeders and other persons, the following regulations are promulgated to be in force and effect on and after this date, the same to supersede the regulations heretofore promulgated under said Act (7 CFR 27.501-27.512; 6 F.R. 4412):

Sec.	
27.501	Authority.
27.502	Laboratories.
27.503	Testing of samples.
27.504	Requirements as to samples.
27.505	Costs of submitting samples.
27.506	Disposition of samples.
27.507	Prescribed fees.
27.508	Fees for special tests.
27.509	Payment of fees.
27.510	Limitation of testing services.
27.511	Confidential information.
27.512	False and misleading information.

AUTHORITY: §§ 27.501 to 27.512, inclusive, issued under Act of April 7, 1941, Pub. Law 30, 77th Cong.

### ADMINISTRATION

§ 27.501 *Authority.* The Administrator of the Agricultural Marketing Administration is charged with the administration of the provisions of the Act and the regulations in this part and is authorized to issue such instructions as he may deem proper and necessary.

§ 27.502 *Laboratories.* Laboratories shall be maintained at points designated by the Administrator of the Agricultural Marketing Administration.

### FIBER AND SPINNING TESTS

§ 27.503 *Testing of samples.* The Administrator of the Agricultural Marketing Administration or his authorized representatives, upon written requests, shall make fiber and spinning tests of the properties of cotton samples and report the results thereof to the persons from whom such requests are received, subject to compliance by such persons with the regulations in this part and to the payment by them of fees as prescribed herein.

§ 27.504 *Requirements as to samples.* Each sample of ginned cotton lint sub-

mitted for fiber tests shall weigh approximately eight ounces and each sample submitted for spinning and fiber tests, or for spinning tests alone, shall weigh not less than five pounds. When the ginning of samples for spinning tests is requested, a sufficient quantity of seed cotton to provide from five to ten pounds of lint shall be submitted. Each sample submitted for testing shall be labeled or marked to show the name and address of the person submitting it and each sample shall be wrapped separately. The separately wrapped samples may be sent in one or more parcels, each of which shall bear on the outside thereof the name and address of the person submitting it. Each individual sample submitted for testing shall contain a tag or coupon bearing a number or other identification symbol. Persons who submit samples to laboratories for testing shall comply with any Federal or State quarantine requirements applicable to counties from which such samples are shipped.

§ 27.505 *Costs of submitting samples.* The transportation of samples to a laboratory for testing shall be without expense to the Government.

§ 27.506 *Disposition of samples.* The remnants of samples and the other materials accumulated in the making of tests under the regulations in this part shall be the property of the Government, but portions of such samples and materials may be used for illustrative purposes in connection with laboratory reports submitted to persons applying for such tests. Upon request, cotton seed will be returned to the owner at his expense.

#### FEES

§ 27.507 *Prescribed fees.* (a) Fees for fiber and spinning tests shall be as follows:

Item No. and kind of test	Fee per test
1. Ginning of spinning test samples, to include weighing sufficient seed cotton to produce from 5 to 10 pounds of lint; ginning the cotton with the use of a saw gin equipped with an extractor-cleaner feeder; weighing the lint and seed; and selecting, packaging, and marking the spinning test sample-----	\$1.00
2. Fiber length array (3 sortings per test)-----	6.00
3. Fiber length, fibrograph, (3 measurements per test)-----	.20
4. Fiber strength (round bundle method—10 breaks per test)-----	5.00
5. Fiber strength (flat bundle method—10 breaks per test)-----	1.00
5a. Fiber strength (flat bundle method), 20 breaks per test, consisting of 4 breaks from each of 5 replicate samples of one strain or variety of cotton, without preparation of hand sliver-----	1.50
6. Fiber fineness (weight per inch) and maturity (2 measurements each per test)-----	5.00
7. Fiber fineness (cross section—2 measurements per test)-----	6.00
8. Cellulose alignment (X-ray) (2 measurements per test)-----	2.50
9. Complete fiber test, including items Nos. 2, 4, 6, and 7-----	18.00
10. Complete fiber test, including items Nos. 3, 5, 6, and 7-----	10.00

Item No. and kind of test—Con.	Fee per test
11. Complete spinning test (carded yarns, for cottons up to and including 1½ inches), including grade and staple length classifications-----	\$20.00
12. Complete spinning test (combed yarns, for cottons 1½ inches and longer in staple), including grade and staple length classifications-----	25.00
13. Combination fiber and spinning test (including items Nos. 2, 4, 6, 7, and 11)-----	34.00
14. Combination fiber and spinning test (including items Nos. 3, 5, 6, 7, and 11)-----	20.00
15. Combination fiber and spinning test (including items Nos. 2, 4, 6, 7, and 12)-----	38.00
16. Combination fiber and spinning test (including items Nos. 3, 5, 6, 7, and 12)-----	30.00
17. Yarn skein strength and size, and yarn appearance determinations, to include one skein strength and size determination on each of 20 bobbins, or fewer, and one yarn appearance grade on each of 2 bobbins-----	1.00
18. Single strand yarn test (Microscopic method), including 80 individual determinations per bobbin, up to 6 bobbins-----	1.50

(b) Persons who first submit samples for complete fiber tests as provided in items 9 and 10 may during the progress of such tests, or within sixty days after the date of the laboratory report on any test, file a supplemental request for a complete spinning test of the same cotton, and the total fees assessed for such combined tests shall be as prescribed in items 13 to 16, inclusive.

(c) Fees for combinations of tests not provided for in this section shall be as determined by the Administrator of the Agricultural Marketing Administration.

§ 27.508 *Fees for special tests.* In the discretion of the Administrator of the Agricultural Marketing Administration, special tests not listed in 27.507 may be made to the extent that available facilities will permit, subject to the payment of fees as determined by him.

§ 27.509 *Payment of fees.* As soon as practicable after the fifteenth and the last day of each calendar month, bills shall be rendered to all persons from whom payment of fees and costs under the regulations in this part shall have become due: *Provided*, That when necessary in the opinion of the officer in charge of a testing laboratory any bill may be rendered at an earlier date. Payments under the regulations in this part shall be by certified check or by draft or post office or express money order payable to the order of "Treasurer of the United States."

#### GENERAL

§ 27.510 *Limitation of testing services.* It appearing that funds available for services under the regulations in this part may at times be insufficient to provide for the testing of all samples that may be submitted for the purpose, the Administrator of the Agricultural Marketing Administration may when necessary place reasonable limitations upon the quantities of samples to be submitted by individuals during any one fiscal year or any one calendar month,

and may direct that samples received from cotton breeders shall take precedence over those received from other persons.

§ 27.511 *Confidential information.* No information concerning individual tests under the regulations in this part shall be published or communicated in such a way as to disclose to others the identity of the owners of cotton represented by samples submitted for testing, except with the permission of such owners.

§ 27.512 *False and misleading information.* The publication or communication by any person of false or misleading information concerning the results of tests as reported by laboratories under the regulations in this part shall be deemed sufficient cause for denial of testing services to such persons.

Done at Washington, D. C., this 2d day of November 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,  
Acting Secretary of Agriculture.

[F. R. Doc. 42-11335; Filed, November 3, 1942; 11:35 a. m.]

#### Chapter VIII—Sugar Agency

##### PART 802—SUGAR DETERMINATIONS

##### PROPORTIONATE SHARES FOR FARMS IN THE DOMESTIC BEET SUGAR AREA; 1942 CROP

Pursuant to the provisions of section 302 (a) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.17e *Determination of proportionate shares for farms in the domestic beet sugar area for the 1942 crop.* The proportionate share for the 1942 crop for each farm in the domestic beet sugar area shall be the number of acres of sugar beets planted thereon for the production of sugar beets to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1942 crop season. (Sec. 302, 50 Stat. 910; 7 U.S.C. 1940 ed. 1132)

Done at Washington, D. C., this 2d day of November 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,  
Assistant Secretary of Agriculture.

[F. R. Doc. 42-11336; Filed, November 2, 1942; 11:35 a. m.]

#### TITLE 9—ANIMALS AND ANIMAL PRODUCTS

##### Chapter IX—Agricultural Marketing Administration

##### PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

##### TWIN CITY SALE YARDS, LEWISTON, IDAHO NOTICE UNDER PACKERS AND STOCKYARDS ACT<sup>1</sup>

NOVEMBER 3, 1942.

Whereas, the Twin City Sale Yards was posted on July 16, 1941, as the Lewiston

<sup>1</sup> Modified list posted stockyards 9 CFR 204.1.

Livestock Commission Company, the name of which was changed to the Twin City Sale Yards March 13, 1942, subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas, it now appears that the Twin City Sale Yards is not being operated as a stockyard within the meaning of that term as defined in said Act:

Now, therefore, notice is hereby given that the Twin City Sale Yards no longer comes within the foregoing definition and the provisions of Title III of said Act.

[SEAL] THOMAS J. FLAVIN,  
Assistant to the  
Secretary of Agriculture.<sup>2</sup>

[F. R. Doc. 42-11391; Filed, November 4, 1942;  
11:15 a. m.]

## TITLE 10—ARMY: WAR DEPARTMENT

### Chapter VII—Personnel

#### PART 77—MEDICAL AND DENTAL ATTENDANCE

##### CERTAIN HOSPITALS

Sections 77.24 and 77.27<sup>1</sup> are hereby amended to read as follows:

§ 77.24 *Army and Navy General Hospital*—(a) *Character of cases treated*—

(1) *General*. All medical and surgical cases of a general nature may be admitted to this hospital, except insanity and tuberculosis of the lungs, which may be admitted only temporarily in an emergency.

(2) *Special*. While equipped to care for all types of medical and surgical conditions (except as noted in subparagraph (1) of this paragraph), this hospital also has available the Hot Springs mineral waters used in the administration of hydrotherapy, together with excellent physiotherapy and occupational-therapy facilities. These waters have been found to be of special benefit in certain types of disease and injury. The best results are obtained in inflammatory conditions of the joints, neuritis, and neuralgia.

(b) *Classes of persons who may be admitted*. Persons of the following classes may be admitted:

(1) All personnel authorized admission by § 77.15.

(2) Honorably discharged officers, nurses, commissioned warrant officers, warrant officers, cadets, midshipmen, cadet engineers, and enlisted men of the Army, the Navy, the Marine Corps (including National Guard forces, Naval Militia, volunteers, and drafted or selected men in the service of the United States), the Coast Guard, the Coast and Geodetic Survey, and honorably discharged officers of the Public Health Service, when accommodations are available.

(c) *Procedure for admission*—(1) *For beneficiaries of Veterans Administration*. Beneficiaries of the Veterans Administration will be admitted upon requests made to the commanding officer of the

hospital by the proper representative of the administration.

(2) *Other persons*. Other persons may be admitted upon special authority of the Secretary of War or the Surgeon General.

(3) *Admission in advance of authorization*. A patient presenting himself for treatment in advance of authorization may, if the case is one of emergency, be admitted at the discretion of the commanding officer of the hospital, who will report his action to the proper authority for confirmation.

(d) *Disposition of patients*. Retired enlisted men of any of the public services, and civilians, will be discharged from this hospital at their discretion or at the discretion of the commanding officer.

(e) *Charges*—(1) *Subsistence charges*. (i) A subsistence charge of 60 cents a day will be made as follows:

(a) For an enlisted man on the active list of the Navy, Marine Corps, United States Coast Guard, and Coast and Geodetic Survey, to be paid by the proper superior upon monthly statements submitted by the commanding officer of this hospital directly to the Surgeon General of the Navy, the commandant of the Coast Guard and the disbursing agent of the Coast and Geodetic Survey, respectively.

(b) For a nurse on the active list. (ii) Subsistence charges will be collected from other pay patients as follows:

(a) For officers and those subsisted on a like status, at \$1.50 per day.

(b) For cadets of the United States Military Academy, midshipmen of the United States Naval Academy, and nurses other than those on the active list, at 85 cents per day.

(c) For those subsisted on the status of an enlisted man, at 85 cents per day.

(2) *Medicine charges*. See § 77.18 (b). (R.S. 161; 5 U.S.C. 22) [Pars. 7, 8, 9, 10, and 11, AR 40-600, October 6, 1942]

§ 77.27 *Fitzsimons General Hospital*—

(a) *General*. (1) The chief purpose of the Fitzsimons General Hospital, Denver, Colo., is to give treatment under most favorable conditions to patients with tuberculosis.

(2) Medical and surgical cases of a general character may be admitted.

(b) *Admissions*—(1) *Classes of persons who may be admitted*. The admission to this hospital of the following classes of patients is authorized:

(i) All persons enumerated in § 77.15.

(ii) Beneficiaries of the United States Soldiers' Home, Washington, D. C.

(iii) Other persons, upon special authority of the Secretary of War or The Surgeon General.

(2) *Procedure for admission*. (i) Beneficiaries of the United States Soldiers' Home, Washington, D. C., are admitted under arrangements approved by the Board of Commissioners of the home.

(ii) Beneficiaries of the United States Veterans Administration may be admitted direct upon written authority of the proper representative thereof.

(iii) Civilian employees (see § 77.15) may be admitted direct on certificate of the official under whom they are employed, the certificate to state the fact of

employment and the circumstances under which the injury was incurred.

(iv) Members of families (defined in § 77.15) may be admitted upon application made direct to the commanding officer of the hospital.

(v) All other nonmilitary persons not otherwise provided for will be admitted only on authority of the Secretary of War or The Surgeon General.

(c) *Charges*—(1) *General*. Provisions regarding hospital charges published in § 77.18 will govern charges at this hospital except as otherwise prescribed in subparagraphs (2) and (3) of this paragraph.

(2) *Subsistence charges*. Officers, commissioned warrant officers, and warrant officers of the Army, Navy, or Marine Corps will be subject to a subsistence charge of \$1.50 per day. All other persons subsisted on the status of an officer will be subject to a like charge for subsistence, except cadets of the United States Military Academy, midshipmen of the United States Naval Academy, and Army nurses who will be charged at the rate of \$1.00 per day.

(3) *Charges for beneficiaries of United States Soldiers' Home, Washington, D. C.* All expenses of maintenance of patients from the Soldiers' Home will be paid by the Board of Commissioners of the home. (R.S. 161; 5 U.S.C. 22) [Pars. 13, 14, and 15, AR 40-600, October 6, 1942]

[SEAL] H. B. LEWIS,  
Brigadier General,  
Acting The Adjutant General.

[F. R. Doc. 42-11365; Filed, November 3, 1942;  
2:39 p. m.]

#### PART 79a—ARMY SPECIALIST CORPS

##### PROCEDURE PRIOR TO APPOINTMENT, ETC.

Sections 79a.7 (a), 79a.18 and 79a.33 (d) (3) (ii) are hereby amended to read as follows:

§ 79a.7 *Procedure prior to appointment*. (a) In general only citizens of the United States will be appointed members of the Corps. Citizens of the Commonwealth of the Philippines or nationals of those countries allied with the United States in the prosecution of the war may be considered upon satisfactory proof of citizenship in their respective countries. (R.S. 161; 5 U.S.C. 22) [Par. 7, Army Specialist Corps Regs. (Tentative), March 24, 1942, as amended by C7, October 20, 1942]

§ 79.18 *Customs of the service*. The normal courtesies, respects, and obligations now in practice between officers and enlisted men of the Army will be recognized and practiced between officers and specialists of the Corps and between members of the Army and members of the Corps. (R.S. 161; 5 U.S.C. 22) [Par. 20, Army Specialist Corps Regs. (Tentative), March 24, 1942, as amended by C6, August 15, 1942]

§ 79a.33 *Allotments of pay* \* \* \*  
(d) *Purpose*. \* \* \*

<sup>1</sup> 6 F.R. 2622.

<sup>2</sup> Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

(3) To commercial life insurance companies. \* \* \*

(ii) Application for insurance will not constitute authority for allotment of pay. No allotment for insurance premiums (Class E) will be accepted unless it is affirmatively shown on the form authorizing the allotment that the insurance is on the life of the allottee only; that the insurance constitutes the major and not merely incidental or collateral element of the transaction; and that the allotment is made in favor of the insurance company issuing the policy and not in favor of a bank or other agent. (R.S. 161; 5 U.S.C. 22) [Par. 38e, Army Specialist Corps Regs. (Tentative), March 24, 1942, as amended by C7, October 20, 1942]

[SEAL] H. B. LEWIS,  
Brigadier General,  
Acting The Adjutant General.

[F. R. Doc. 42-11379; Filed, November 4, 1942;  
9:46 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter I—Civil Aeronautics Board [Amendment 20-1, Civil Air Regulations]

#### PART 20—PILOT CERTIFICATES

##### LOGGING INSTRUMENT FLIGHT TIME

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 30th day of October 1942.

Acting pursuant to sections 205, 601, and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective October 30, 1942, Part 20 of the Civil Air Regulations is amended as follows:

By adding paragraph (d) to § 20.762 to read as follows:

§ 20.762 *Logging of pilot flight time.* \* \* \*

(d) *Instrument.* Instrument flight time may be logged as such only when the aircraft is flown solely by reference to instruments whether under actual or properly simulated flight conditions. (Over-the-top flying shall not be logged as instrument flight time.)

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,  
Secretary.

[F. R. Doc. 42-11372; Filed, November 4, 1942;  
9:35 a. m.]

## TITLE 29—LABOR

### Chapter VI—National War Labor Board

#### PART 803—GENERAL ORDERS

##### [General Order 6]

##### HIRING AT RATES IN EXCESS OF ESTABLISHED RATES

§ 803.6 *General Order 6.* (a) The hiring of an individual at a wage rate

in excess of the rate previously established in the plant for employees of similar skill and productive ability within the classification in which the individual is employed is a "wage increase" within the meaning of Executive Order No. 9250.

(b) If a wage rate for a job classification has not theretofore been established by the employer for the plant involved, the rate shall be fixed at a level not exceeding that which prevails for similar classifications within the area, unless a higher rate is approved by the National War Labor Board. (E.O. 9250, 7 F.R. 7871)

GEORGE KIRSTEIN,  
Executive Secretary.

[F. R. Doc. 42-11369; Filed, November 3, 1942;  
4:26 p. m.]

#### PART 803—GENERAL ORDERS

##### [General Order 7]

##### INCREASES IN COMPLIANCE WITH OPERATION OF FAIR LABOR STANDARDS ACT

§ 803.7 *General Order 7.* Since Title VI, section 1 of Executive Order No. 9250, dated October 3, 1942, states that "nothing in this Order shall be construed as affecting the present operation of the Fair Labor Standards Act," and since statutes and orders of the duly constituted authorities of the several states fixing minimum rates for certain types of workers carry out the true purposes and intent of the Fair Labor Standards Act, and are designed and intended to eliminate substandards of living within the meaning of section 2 of Title II of Executive Order No. 9250, the National War Labor Board hereby approves increases in wage and salary rates made in compliance with such statutes and orders. (E.O. 9250, 7 F.R. 7871)

GEORGE KIRSTEIN,  
Executive Secretary.

[F. R. Doc. 42-11370; Filed, November 3, 1942;  
4:26 p. m.]

#### PART 803—GENERAL ORDERS

##### [General Order 8]

##### ADJUSTMENT OF WAGES OR SALARIES IN TERRITORIES AND POSSESSIONS

§ 803.8 *General Order 8.* Exercising the authority vested in the National War Labor Board by § 4001.14 of Part 4001, Regulations Relating to Wages and Salaries, issued on October 27, 1942, by the Economic Stabilization Director and approved by the President, and deeming it necessary for the effective administration of the Act of Congress of October 2, 1942, the Board hereby determines that adjustments in any wages or salaries over which this Board has jurisdiction and which are paid in any territory or possession of the United States, except Alaska, are exempted from the operation of the said regulations and therefore may

be made without the approval of the Board. (E.O. 9250, 7 F.R. 7871)

GEORGE KIRSTEIN,  
Executive Secretary.

[F. R. Doc. 42-11371; Filed, November 3, 1942;  
4:26 p. m.]

#### PART 803—GENERAL ORDERS

##### [General Order 9]

##### SALARIES TOTALING NOT IN EXCESS OF \$5,000 PER ANNUM

§ 803.9 *General Order 9—(a) Jurisdiction of the National War Labor Board.* Section 4001.2 of Part 4001 "Regulations Relating to Wages and Salaries," issued on October 27, 1942,<sup>1</sup> by the Economic Stabilization Director and approved by the President provides in part that the National War Labor Board:

Shall have authority to determine whether any \* \* \* salary payments to an employee totaling in amount not in excess of \$5,000 per annum where such employee:

(1) In his relations with his employer is represented by a duly recognized or certified labor organization or

(2) Is not employed in a bona fide executive, administrative or professional capacity, are made in contravention of the Act of Congress of October 2, 1942, or any ruling, orders or regulations promulgated thereunder.

In other words the Board has jurisdiction over the adjustment of salaries up to \$5,000 a year, except for those employees employed in a bona fide executive, administrative or professional capacity who are not represented by duly recognized or certified unions.

Section 4001.6 of said regulations provides that "in the case of a salary rate of \$5,000 or less per annum existing on the date of the approval of these regulations by the President" (namely, October 27, 1942) no increase shall be made without the prior approval of the Board.

The Board hereby defines what is meant by "employed in a bona fide executive, administrative or professional capacity":<sup>2</sup>

(1) *Executive.* The term "employed in a bona fide executive capacity" shall mean any employee:

(i) Whose primary duty consists of the management of the establishment in which he is employed or of a customarily recognized department or subdivision thereof, and

(ii) Who customarily and regularly directs the work of other employees therein, and

<sup>1</sup> 7 F.R. 8749.

<sup>2</sup> For the convenience of employers and employees who have been accustomed to the practices prevailing under the Fair Labor Standards Act, these definitions have been taken from the regulations promulgated by the Wage and Hour Administrator, pursuant to section 13 (a) (1) of the Fair Labor Standards Act of 1938 (52 Stat. 1060), but no provisions of that Act or of any regulations issued thereunder are in any way applicable to the regulations and orders of the National War Labor Board.

(iii) Who has the authority to hire or fire other employees or whose suggestions and recommendations as to the hiring or firing and as to the advancement and promotion or any other change of status of other employees will be given particular weight, and

(iv) Who customarily and regularly exercises discretionary powers, and

(v) Who is compensated for his services on a salary basis at not less than \$30 per week (exclusive of board, lodging, or other facilities), and

(vi) Whose hours of work of the same nature as that performed by employees not employed in an executive, administrative or professional capacity do not exceed 20 percent of the number of hours worked in the workweek by the employees under his direction: *Provided*, That this subdivision (vi) shall not apply in the case of an employee who is in sole charge of an independent establishment or a physically separated branch establishment.

(2) *Administrative*. The term "employed in a bona fide administrative capacity" shall mean any employee:

(i) Who is compensated for his services on a salary or fee basis at a rate of not less than \$200 per month (exclusive of board, lodging, or other facilities), and

(ii) (a) Who regularly and directly assists an employee employed in a bona fide executive or administrative capacity (as such terms are defined in these regulations), where such assistance is nonmanual in nature and requires the exercise of discretion and independent judgment; or (b) who performs under only general supervision, responsible nonmanual office or field work, directly related to management policies or general business operations, along specialized or technical lines requiring special training, experience, or knowledge, and which requires the exercise of discretion and independent judgment; or (c) Whose work involves the execution under only general supervision of special nonmanual assignments and tasks directly related to management policies or general business operations involving the exercise of discretion and independent judgment; or (d) who is engaged in transporting goods or passengers for hire and who performs, under only general supervision, responsible outside work of a specialized or technical nature requiring special training, experience, or knowledge, and whose duties require the exercise of discretion and independent judgment.

(3) *Professional*. The term "employed in a bona fide professional capacity" shall mean any employee who is:

(i) Engaged in work (a) predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work, and (b) requiring the consistent exercise of discretion and judgment in its performance, and (c) of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time, and (d) whose hours of work of the same nature as that performed by employees not employed in an executive, administrative or professional capacity do not exceed 20 percent of the hours worked in the workweek by such employees: *Provided*, That where such non-professional work is an essential part of and necessarily incident to work of a professional nature, this subdivision (d) shall not apply, and (e) requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study, as distinguished from a general academic education and from an apprenticeship, and from training in the performance of routine mental, manual, or physical processes; or predominantly original and creative in character in a recognized field of artistic endeavor as opposed to work which can be produced by a person endowed with general manual or intellectual ability and training, and the result of which depends primarily on the invention, imagination, or talent of the employee, and

(ii) Compensated for his services on a salary or fee basis at a rate of not less than \$200 per month (exclusive of board, lodging, or other facilities): *Provided*, That this subdivision (ii) shall not apply in the case of an employee who is the holder of a valid license or certificate permitting the practice of law or medicine or any of their branches and who is actually engaged in the practice thereof.

(b) *Effective date of the Board's jurisdiction*. Pursuant to § 4001.6 of the said regulations, increases in salaries which by written agreement executed on or before October 27, 1942, or by formal action communicated to the employees, on or before October 27, 1942, were made applicable to work done prior to October 27, 1942, do not come within the jurisdiction of the Board, notwithstanding such increases are first reflected in a payroll subsequent to October 27, 1942.

(c) *Salary increases which do not require Board approval*. Pursuant to § 4001.6 of the said regulations, adjustments may be made in salary rates over which the Board has jurisdiction with-

out the approval of the Board, if they are made in accordance with the terms of a salary agreement or salary rate schedule and as a result of:

(i) Individual promotions or reclassification,

(ii) Individual merit increases within established salary rate ranges,

(iii) Operation of an established plan of salary increases based on length of service,

(iv) Increased productivity under incentive plans,

(v) Operation of a trainee system, or

(vi) Such other reasons or circumstances as may be prescribed in orders, rulings, or regulations, promulgated under the authority of these regulations.

No such adjustments in salary rates, however, shall result in any substantial increase in the level of costs or shall furnish the basis either to increase price ceilings of the commodity or service involved or to resist otherwise justifiable reductions in such price ceilings.

(d) *Exempt employers*. Pursuant to § 4001.11 of the said regulations salary adjustments made by employers who employ not more than eight individuals are exempted from the provisions of § 4001.6, 4001.7 and 4001.8 of the said regulations and may therefore be made without the approval of the National War Labor Board.

(e) *Statutory salaries and wages*. The said regulations, pursuant to § 4001.13 thereof, are not applicable to any salary or wages paid by the United States, any state or political subdivision thereof, the District of Columbia, or any agency or instrumentality of any one or more of the foregoing where the amount of such salary or wages is fixed by statute. Adjustment in such salaries or wages may therefore be made without the approval of the National War Labor Board.

(f) *Decreases in salaries of less than \$5,000 over which the National War Labor Board has jurisdiction as defined in paragraph (a) of this order*. Pursuant to § 4001.7 of the said regulations, no decrease in a salary rate paid to an employee for any particular work, and over which the National War Labor Board has jurisdiction as defined in paragraph (a) of this order, may be made by the employer below the highest salary rate paid for such work between January 1, 1942, and September 15, 1942, without the prior approval of the Board. (E.O. 9250, 7 F.R. 7871)

GEORGE KIRSTEIN,  
Executive Secretary.

[F. R. Doc. 42-11373; Filed, November 3, 1942;  
4:26 p. m.]



**TITLE 30—MINERAL RESOURCES**  
**Chapter III—Bituminous Coal Division**  
 [Docket No. A-1643]  
**PART 321—MINIMUM PRICE SCHEDULE,**  
**DISTRICT NO. 1**

**ORDER GRANTING RELIEF, ETC.**

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and  
 No petitions of intervention having been filed with the Division in the above-entitled matter; and  
 The following action being deemed necessary in order to effectuate the purposes of the Act:

*It is ordered*, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I and Supplement R-II, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; commencing forthwith, the shipping points and freight origin groups appearing in the aforesaid Supplement R-II for the coals of Mine Index Nos. 878 and 3479 shall be as therein shown instead of the shipping points and freight origin groups heretofore applicable for these mines; and, commencing forthwith, the shipping point appearing in the aforesaid Supplement R-II for the coals of Mine Index No. 2338 shall be as therein shown instead of the shipping point heretofore applicable for this mine.

*It is further ordered*, That pleadings in opposition to the original petition in the above-entitled matter or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

*It is further ordered*, That pleadings in opposition to the original petition in the above-entitled matter or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

*It is further ordered*, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

The price classifications and minimum prices set forth in the Schedules attached are based upon the price classifications and minimum prices in effect on October 1, 1942, for comparable and analogous coals and already reflect the changes, if any, made in the minimum prices by the Acting Director's Order of August 28, 1942, 7 F.R. 6943. In General Docket No. 21. Except as otherwise stated herein, the minimum prices in the attached Schedules do not differ, except in this regard, from the minimum prices proposed by petitioner.

Dated: October 19, 1942.

[SEAL] DAN H. WHEELER,  
 Director.

**TEMPORARY AND CONDITIONALLY EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1**

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

**FOR ALL SHIPMENTS EXCEPT TRUCK**

**§ 321.7 Alphabetical list of code members—Supplement R-I**

(Alphabetical listing of code members having railway leading facilities, showing price classifications by class group numbers)

Mine Index No.	Code member	Mine name	Sub-district No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
2559	Burns, J. T.	Burns Creek #2	15	D	Pittsburgh, Pa.	C. T. & D. (NYC-PRR)	20	00	00	00	00	00
2567	Calvin, Harold F.	Calvin Creek #2	15	D	Pittsburgh, Pa.	PRR	129	00	00	00	00	00
2577	Fuch, John & Clyde (Clyde Dr. b.)	Clayton Grove	15	D	Pittsburgh, Pa.	PRR	45	00	00	00	00	00
2582	Hollister, David F.	Hollister	6	D	Mid. Kittanning	PRR	113	00	00	00	00	00
2592	Hoyt Coal Co. (Leroy Hoyt)	Hoyt	7	D	Curwensville, Pa.	PRR	45	00	00	00	00	00
1639	Hunter Coal Company (J. C. Hunter)	Hunter	3	D	Andrum, Pa.	NYC	131	00	00	00	00	00
1655	West, Frank B. (R. B. West Coal Mining Company)	Featuring #1 (6)	17	D	St. Benedict, Pa.	NYC	44	00	00	00	00	00
1654	West, Frank B. (R. B. West Coal Mining Company)	Pine Ridge #3 (6)	17	D	St. Benedict, Pa.	NYC	44	00	00	00	00	00
2563	West, Frank B. (R. B. West Coal Mining Company)	Pine Ridge #1 (6)	17	D	St. Benedict, Pa.	NYC	44	00	00	00	00	00
2563	West, Frank B. (R. B. West Coal Mining Company)	Pine Ridge #2	17	D	Hartsville, Pa.	PRR	20	00	00	00	00	00

Indicates no classification effective for these also groups.

Indicates classification and prices previously established for these also groups.

(6) Classification for Pine Ridge Mine Index No. 3479, Pine Ridge #1 (Mine Index No. 3739), Pine Ridge #2 (Mine Index No. 3739) and Foklum #1 (Mine Index No. 1639) mines to apply to coals therefrom as loaded at the Victor #3 tipple and cleaning plant of the Carrelltown Coal Co.

## § 321.7 Alphabetical list of code members—Supplement R—II

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
878	Walker, Ray S. (Bradford Coal Co.)	Shannon #2.....	8	B	Morrisdale, Pa.	NYO	44	(†)	(†)	E	E	E
2238	Will, Harold R.....	Harold Will Coal Company.	36	E	Somerset, Pa.	B&O	100	(†)	(†)	E	(†)	(†)
3470	Wood, Frank B. (F. B. Wood Coal Mining Company).	Pine Ridge <sup>1</sup> .....	17	B	St. Benedict, Pa.	NYO	44	C	C	C	C	C

†Indicates no classification effective for these size groups.

<sup>1</sup>See note in Supplement R-I.NOTE: The above prices are applicable *only* via the respective Freight Origin Groups, shipping points, and Railroads shown for the respective mines. Freight Origin Groups and Shipping Points previously assigned to these mines are no longer applicable.

## FOR TRUCK SHIPMENTS

## § 321.24 General prices—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened top size 2' and over	Double screened top size 2' and under	Run of mine undrilled R/M	2' and under slack	3/4" and under slack
						1	2	3	4	5
Burns, J. T.....	3680	Burns.....	15	Indiana.....	E.....	(†)	(†)	245	(†)	(†)
Colvin, Harold F.....	3767	East Creek #2....	3	Tioga.....	Bloss.....	347	322	322	312	302
Dush, John and Clyde (Clyde Dush).	3677	Chestnut Grove.	7	Clearfield..	D.....	(†)	(†)	240	(†)	(†)
Glass, J. H.....	3680	Little King.....	20	Clearfield..	E.....	(†)	(†)	240	(†)	(†)
Hollopeter, Dwight F.....	3682	Hollopeter.....	6	Clearfield..	Mid. Kittanning.	(†)	(†)	245	(†)	(†)
Hunter Coal Company (James G. Hogg).	1539	Cushing (d).....	3	Tioga.....	Seymour.....	322	297	(*)	287	277
Roberts, Dominick (Roberts Coal Co.).	3681	Roberts.....	18	Cambria.....	E.....	(†)	(†)	240	(†)	(†)
Sabatose, James & Albert, Unsworth.	1989	Sabatose & Unsworth.	5	Jefferson....	D.....	(†)	(†)	(*)	235	225
Sabatose, James & Albert Unsworth.	3768	Sabatose & Unsworth #2.	5	Jefferson....	E.....	260	(†)	235	225	215
Wike, George H. & Harry (George H. Wike).	3640	Potter.....	1	Clarion.....	B.....	165	240	240	230	220
Wood, Frank B. (F. B. Wood Coal Mining Company).	3764	Pine Ridge #3.	17	Cambria.....	C'.....	(†)	(†)	245	(†)	(†)
Wood, Frank B. (F. B. Wood Coal Mining Company).	3765	Pine Ridge #4.	17	Cambria.....	D.....	(†)	(†)	245	(†)	(†)
Wood, Frank B. (F. B. Wood Coal Mining Company).	3766	Pine Ridge #5.	17	Cambria.....	C'.....	(†)	(†)	245	(†)	(†)

†Indicates no classification effective for these size groups.

\*Indicates classifications and prices previously established for these size groups.

[F. R. Doc. 42-11332; Filed, November 3, 1942; 11:31 a. m.]

[Docket No. A-1653]

PART 327—MINIMUM PRICE SCHEDULE,  
DISTRICT No. 7

## ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in

the matter of the petition of District Board No. 7 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 7.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act

of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 7; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

The price classifications and minimum prices set forth in the Schedules attached are based upon the price classifications and minimum prices in effect on October 1, 1942, for comparable and analogous coals and already reflect the changes, if any, made in minimum prices by the Acting Director's Order of August 28, 1942, 7 F.R. 6943, in General Docket No. 21. Except as otherwise stated herein, the minimum prices in the attached Schedules do not differ, except in this regard, from the minimum prices proposed by petitioner.

Dated: October 23, 1942.

[SEAL]

DAN H. WHEELER,  
Director.



## TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

## FOR ALL SHIPMENTS EXCEPT TRUCK

## § 327.11 Low volatile coals: alphabetical list of code members—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Sub-district No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No.									
								1	2	3	4	5	6	7	8	9	10
318	D & D Coal Company	D & D Coal Co.	1	Sewell	Quinwood, W. Va.	C&O-N.Y.C.	19	(P)	(P)	(P)	(P)	(P)	(P)	(P)	(P)	(P)	(P)
512	Nurt Smokeless Coal Company (C. B. Tackett)	Boone	2	Sewell	Winona, W. Va.	C&O	10	(P)	(P)	(P)	(P)	(P)	(P)	(P)	(P)	(P)	(P)
319	United States Coal & Coke Company	# 13	3	Poca # 3	Moss, W. Va.	N&W	20	(P)	(P)	(P)	(P)	(P)	(P)	(P)	(P)	(P)	(P)

†When shown under a Size Group Number, this symbol indicates no classification effective for this Size Group.

## FOR TRUCK SHIPMENTS

## § 327.34 General prices in cents per net ton for shipment into any market area—Supplement T

Code member index	Mine	Mine Index No.	Sub-district No.	County	Seam	All lump 1/4" or larger after top size and stove	All mat or pec, 1 1/2" top size or smaller	Screened M/R	Straight mine run	1 1/2" screenings	3/4" screenings
D & D Coal Company.....	D & D Coal Co.	318	1	Greenbrier..	Sewell.....	.....	.....	269	235	.....	.....
Nurt Smokeless Coal Com- pany (C. B. Tackett).	Boone.....	312	2	Fayette.....	Sewell.....	250	.....	(*)	(*)	210 (*)	.....
United States Coal & Coke Company.	# 13.....	319	3	McDowell..	Poca #3.	.....	.....	.....	225	.....	.....

\*When shown under a Size Group Number, this symbol indicates coals previously classified in this Size Group.

[F. R. Dec. 42-11329; Filed, November 3, 1942; 11:32 a. m.]

[Docket No. A-1673]

## PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

## ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 7 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 7.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 7; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 327.11 (Low volatile coals: Alphabetical list of code members) is amended by adding thereto Supplement R-I, § 327.21 (High volatile coals: Alphabetical list of code members) is amended by adding thereto Supplement R-II, and § 327.34 (General prices

in cents per net ton for shipment into any market area) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereinafter made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

## FOR ALL SHIPMENTS EXCEPT TRUCK

## § 327.11 Low volatile coals: Alphabetical list of code members—Supplement R-I

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Sub-district No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No.									
								1	2	3	4	5	6	7	8	9	10
320	Meadows, E. W. (P. W. Meadows Coal Co.)	Meadows	5	Poca # 3	Trace, W. Va.	Ven.	14	(P)	(P)	(P)	(P)	(P)	(P)	(P)	(P)	(P)	(P)

†When shown under a Size Group Number, this symbol indicates no classification effective for this size group.

§ 327.21 High volatile coals: Alphabetical list of code members—Supplement R-II  
[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group	Price classifications by size group Nos.																										
								For destinations other than Great Lakes														For Great Lakes cargo only												
								1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27
321	Thompson, L. D.	Painter Mtn. #2	Big Eagle	2	Cirtsville, W. Va.	Vgn	15	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)			

+When shown under a Size Group Number, this symbol indicates no classification effective for this size group.

FOR TRUCK SHIPMENTS

§ 327.34 General prices in cents per net ton for shipment into any market area—  
Supplement T

Code member index	Mine	Mine Index No.	Subdistrict No.	County	Seam	All lump 3/4" or larger, all egg and stove	All nut or pea, 1 1/2" top size or smaller	Screened M/R	Straight run	1 1/4" screenings	3/4" screenings
Meadows, E. W. (E. W. Meadows Coal Co.), Thompson, L. D.	Meadows Painter Mtn. #2	320	5	Raleigh	Poca #4	1	2	3	4	5	6
			2	Raleigh	Big Eagle			300	235		

[F. R. Dec. 42-11334; Filed, November 3, 1942; 11:32 a. m.]

[Docket No. A-1693]

PART 328—MINIMUM PRICE SCHEDULE,  
DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief

in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of the Alley Mine of the Sandy Valley Coal Company in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act

of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Alley Mine of the Sandy Valley Coal Company, Mine Index No. 9, in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (Alphabetical list of code members) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in

the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

The price classifications and minimum prices set forth in the schedule attached are based upon the price classifications and minimum prices in effect on October 1, 1942 for comparable and analogous coals and already reflect the changes, if any, made in minimum prices by the Acting Director's Order of August 28, 1942, 7 F.R. 6943, in General Docket No. 21.

Dated: October 22, 1942.

[SEAL] DAN H. WHEELER,  
Director.

## TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

## FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight off in group	Price classifications by size group Nos.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																								
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\*Indicates previously classified these size groups.  
†Indicates no classification effective for these size groups.

[F. R. Doc. 42-11331; Filed, November 3, 1942; 11:31 a. m.]

[Docket No. A-1695]

PART 328—MINIMUM PRICE SCHEDULE,  
DISTRICT NO. 8

## ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8 and for a change in shipping point for Mine Index No. 389.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifica-

tions and minimum prices for the coals of certain mines in District No. 8 and for a change in shipping point for Mine Index No. 389; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the matter hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

*It is ordered*, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended

by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof; and commencing forthwith, the shipping point appearing in the aforesaid Supplement R, for Mine Index No. 389 shall be effective in place of the shipping point heretofore established for this mine.

*It is further ordered*, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings

Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

*It is further ordered*, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

The price classifications and minimum prices set forth in the Schedule attached are based upon the price classifications and minimum prices in effect on October 1, 1942, for comparable and analogous coals and already reflect the changes, if any, made in minimum prices by the Acting Director's Order of August 28, 1942, 7 F.R. 6943, in General Docket No. 21.

Dated: October 22, 1942.

[SEAL]

DAN H. WHEELER,

Director.

## TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

## FOR ALL SHIPMENTS EXCEPT TRUCK

## § 328.11 Alphabetical list of code members—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin No.	Price classifications by size group Nos.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
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176	Panther Red Ash Coal Corporation.	Douglas.....	Douglas.....	8	Hull, W. Va.....	N&W...	130	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(

\*Denotes new shipping point. Shipping point at Hull, W. Va., shall no longer be applicable.

\*Indicates previously classified these size groups.

†Indicates no classification effective for these size groups.

[F. R. Doc. 42-11330; Filed, November 3, 1942; 11:31 a. m.]

[Docket No. A-1621]

## PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

## ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 15 and for a change in the railroad upon which the coals of the Midway Mine (Mine Index No. 1433) originate for rail shipment.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 15; and for a change in the railroad upon which the coals of the Vita-Coal Mining Com-

pany's Midway Mine (Mine Index No. 1433) located in Lathier County, Oklahoma, Production Group 8, originate for rail shipment, from the Missouri, Kansas and Texas Railroad, Wilburton, Oklahoma, to the Chicago, Rock Island and Pacific Railway, Wilburton, Oklahoma; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 335.5 (Alphabetical list of code members) is amended by adding thereto Supplement R, and § 335.24 (General prices in cents per net

and minimum prices in effect on October 1, 1942, for comparable and analogous coals and already reflect the changes, if any, made in minimum prices by the Acting Director's Order of August 28, 1942, 7 F.R. 6943, in General Docket No. 21. Except as otherwise stated herein, the minimum prices in the attached Schedules do not differ, except in this regard, from the minimum prices proposed by petitioner.

No relief is granted herein for the coals of the Sizemore Mine (Mine Index No. 1629) of code member Sizemore Coal Company (Roy Sizemore) for the reason set forth in the order severing that portion of Docket No. A-1621 relating to said coals from the remainder of the Docket, designating such severed portion as Docket No. A-1621 Part II, and granting temporary relief herein.

Dated: October 23, 1942.

[SEAL]

DAN H. WHEELER,

Director.

## TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 385, Minimum Price Schedule for District No. 15 and supplements thereto.

## FOR ALL SHIPMENTS EXCEPT TRUCK

## § 335.5 Alphabetical list of code members—Supplement R

[Alphabetical list of code members showing price classification by size group for domestic, commercial and industrial use]

Code member	Mine index No.	Mine name	Production group No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group									
							1	2	3	4	5	6	7	8	9	10
Mineral Products Company, The	111	Plant No. 1	1	West Mineral, Kans. & P. & M. Central	M-K-T	147										
Rogers Brothers (Joseph Rogers)	1035	Roger #3	3	Cleaning Plant (Mineral), Kans.	Wab	111										
Vita-Coal Mining Company (Roy Rogers)	1433	Midway	8	Huntsville, Missouri	M-K-T	1101										
				Wilburton, Okla.												

\* Previously classified for this size group.

† Denotes change in F. O. G. No. 100 shall no longer be applicable for this mine.

A is Market Area list price as listed in Price Schedule No. 1.

O Minus 10¢ from list price.

## FOR TRUCK SHIPMENTS

## § 335.24 General prices in cents per net ton for shipment into all market areas—Supplement T

Code member Index	Mine Index No.	Mine	Pro-duction Group No.	County																				
					3" lump	3" up	10" x 1 1/2"	4	5	3" x 2"	3" x 1 1/2"	0	7	8	0	10	11	12	13	14	15			
Footo, Julian O.	1638	Footo #2.....		Bates, Mo.....	200	200	200	200	203	203	220	203	200	220	105	105	150	150	160	45				
Reckendon, F. H.	1639	Reckendon Coal Co.....		Bates, Mo.....	200	200	200	200	203	203	220	203	200	220	105	105	150	150	160	45				
Lynn & Sons, V. T. (Herbert N. Lynn)	1640	V. T. Lynn & Sons.....		Lalayette, Mo.....	200	200	200	200	203	203	220	203	200	220	105	105	150	150	160	45				
Reyer Brothers (George Reyer)	1643	Reyer #3.....	3	Randolph, Mo.....	200	200	200	200	203	203	220	203	200	220	105	105	150	150	160	45				
York, George O.	1641	York Coal Co.....	11	Reger, Okla.....	200	200	200	200	203	203	220	203	200	220	105	105	150	150	160	45				

(ii) Homologues of phenol, cresols and xylenols or any mixtures thereof, when such homologues occur naturally in, or are recoverable from, coal tar, lignite tar, or distillates thereof, or from petroleum or petroleum distillates.

(iii) Mixtures of phenol, cresols and xylenols with any of their homologues when such homologues occur naturally in, or are recoverable from, coal tar, lignite tar, or distillates thereof, or from petroleum or petroleum distillates.

(4) "Substituted phenols" means para-phenyl-phenol, ortho-phenyl-phenol, butyl phenol, amyl phenol and bis phenol.

(5) "Producer" means any person who produces tar acid oil, carbolates, phenols, or substituted phenols, or any person who has any of such materials produced for him pursuant to toll agreement.

(6) "Importer" means any person who imports tar acid oil, carbolates, phenols or substituted phenols for his own use or for resale.

(7) "Distributor" means any person who has purchased or who purchases tar acid oil, carbolates, phenols or substituted phenols for resale.

(b) *Restrictions on use and delivery.*

(1) On and after December 1, 1942, subject to the exemptions provided in paragraph (c) hereof, no producer, distributor, or importer shall use or deliver, and no person shall accept delivery of tar acid oil, carbolates, phenols or substituted phenols except as specifically authorized by the Director General for Operations, upon application, pursuant to paragraph (e) hereof.

(2) During the period commencing November 3, 1942, the effective date of this amendment, and ending November 30, 1942, no person shall deliver or accept delivery of any phenols except in accordance with the provisions of General Preference Order No. M-27 as in effect prior to this amendment.

(c) *Exemptions.* (1) Paragraph (b) (1) hereof shall not apply to the use, delivery or acceptance of delivery, by any person in any one calendar month, of 55 gallons or less of tar acid oil, carbolates, phenols or substituted phenols, provided that:

(i) Every person seeking delivery of a quantity in excess of 5 gallons, but not in excess of 55 gallons, of tar acid oil, carbolates, phenols and substituted phenols in any one calendar month shall file with his supplier, at the time of placing his order, a certificate in writing to the effect that, in the event such delivery is made, the deliverer will not have received during such month a quantity in excess of 55 gallons of tar acid oil, carbolates, phenols and substituted phenols.

(ii) Every producer, distributor or importer seeking to make deliveries of 55 gallons or less of tar acid oil, carbolates, phenols and substituted phenols, pursuant to the exemptions provided for in this paragraph (c) (1), shall apply for authorization to make such deliveries, as provided in paragraph (e) (2) (iii) hereof; and the total quantity of such deliveries by any such producer, distributor or importer during any one calendar month shall not exceed the amount of such deliveries which has been specifi-

cally authorized by the Director General for Operations.

(2) Paragraph (b) (1) hereof shall not apply to the use, delivery or acceptance of delivery of tar acid oil, carbolates or phenols by any person for the purpose of producing phenols.

(d) *Other restrictions.* Every person affected by this order shall comply with such directions as may be issued from time to time by the Director General for Operations with respect to the use, delivery or production of tar acid oil, carbolates, phenols or substituted phenols.

(e) *Applications and reports.* In addition to such other reports as may from time to time be required by the Director General for Operations:

(1) Every producer, distributor or importer seeking authorization to use, and every person seeking authorization to accept delivery of tar acid oil, carbolates, phenols or substituted phenols pursuant to paragraph (b) (1) hereof, shall apply for such authorization on Form PD-600. Every such applicant shall file with the War Production Board the original and two copies of such form on or before the 15th day of the month preceding the month for which such authorization is requested; and shall file with his supplier one copy of such form on or before the 15th day of such month, if the supplier is a producer, or on or before the 10th day of such month if the supplier is a distributor. Form PD-600 shall be completed by the applicant in accordance with the following instructions:

(i) *General.* Except as hereinafter specifically provided to the contrary the applicant shall supply all of the information called for by such form. Failure to comply with these instructions may result in denial of the application. A separate form must be supplied for each supplier.

(ii) *Heading.* Specify "tar acid oil, carbolates, phenols and substituted phenols" and order number "M-27" and specify pounds and gallons as the unit of measure, and in addition to specifying the delivery destination, indicate the address to which communications should be directed. Opposite "Application for delivery next month (state month)" insert the month in which delivery is desired.

(iii) *Columns 1, 11, and 19. Grade.* Specify supplier's trade name, number or such other identification as may be required to indicate the type and make-up of the tar acid oil, carbolates, phenols and substituted phenols covered by the application. All grades specified in column 1 must also be shown in column 11. All grades ordered from other suppliers must be shown in column 19.

(iv) *Column 2.* Show quantities of tar acid oil and carbolates in gallons and show quantities of phenols and substituted phenols in pounds, and specify "gals." or "lbs.", as the case may be.

(v) *Columns 3, 20 and 22.* In the case of a distributor purchasing for resale, specify "Resale pursuant to further authorization." In the case of a consumer, specify:

Phenolic resins.  
Phenolic resin molding compounds.

Ammonium picrate.  
Picric acid.  
Triphenyl phosphate.  
Tricresyl phosphate.  
Nylon.  
Oil additive (Identify).  
Pharmaceutical (Identify).  
Disinfectant (Identify).  
Insecticide (Identify).  
Preservative (Identify).  
Dyestuff (Identify).  
Dye intermediate (Identify).  
Color pigment (Identify).  
Ink (Identify).  
Refining solvent (Identify).  
Flotation agent (Identify).  
Carbon remover (Identify).  
Wetting agent (Identify).  
Soap (Identify).  
Cleaning compound (Identify).  
Mercerizing compound (Identify).  
Tanning compound (Identify).  
Other products (Identify).

In each instance above where request is made to identify, indicate the chemical name of the product, or the name by which such product is commonly known.

(vi) *Column 4.* In the case of a distributor purchasing for resale, leave this column blank. In the case of a consumer, specify as follows:

Where the primary product is under allocation, specify only the number of the governing order.

Where the primary product is not under allocation, indicate end use in as detailed a manner as possible. For example, specify mining of copper, dyeing woollens, preservatives for glue, diesel engine oils, etc.

Where possible, state the ultimate consumer or the nature of the business of the ultimate consumer. For example, specify Army (include specification number, if available), Navy (include specification number, if available), Lend-Lease, other export (identify country), agricultural, veterinary, transportation, hospital, etc.

Allocations of tar acid oil, carbolates, phenols and substituted phenols will be based on product use and it is, therefore, essential that information with respect to product use be stated clearly. Information with respect to product use may be extended on the reverse side of the form.

(vii) *Columns 5, 6, 7 and 8.* Leave blank.

(viii) *Tables II, III and IV.* Opposite "Receipts, disposition and stock of this chemical last month (state month)" insert the month preceding the month in which application is filed.

Opposite "Orders placed with other suppliers for delivery next month (state month)" insert the month succeeding the month in which the application is filed.

Opposite "Inventory of primary products at end of last month (state month)" insert the month preceding the month in which the application is filed.

(2) Every producer, distributor or importer seeking authorization to deliver tar acid oil, carbolates, phenols or substituted phenols pursuant to paragraph (b) (1) hereof, shall apply for such authorization on Form PD-601. Every such applicant shall file with the War Production Board the original and two copies of such form on or before the 20th day



of the month preceding the month for which such authorization is requested. Form PD-601 shall be completed by the applicant in accordance with the following instructions:

(i) *General.* Except as hereinafter specifically provided to the contrary the applicant shall supply all of the information called for by such form. Failure to comply with these instructions may result in denial of the application.

(ii) *Heading.* Specify "tar acid oil, carbolates, phenols and substituted phenols" and order number "M-27" and specify pounds and gallons as the unit of measure, and in addition to specifying the plant or warehouse address, indicate the address to which communications should be directed. In the place marked "This schedule is for deliveries to be made during the month of \_\_\_\_\_" insert the month succeeding the month in which the application is filed.

Indicate also whether the supplier is a producer, distributor or importer.

(iii) *Column 1.* List customers alphabetically with respect to each of the following: phenol, ortho-cresol, meta-paracresol, cresylic acid and xylenols, tar acid oils, carbolates, petroleum cresylic acid and each of the substituted phenols. If authorization to fill small orders under paragraph (c) (1) is requested, insert "aggregate small order deliveries" in column 1 after completing the list of all other customers, and specify in column 4 the aggregate amount of small order deliveries requested to be authorized for the particular grade.

(iv) *Columns 3 and 8.* Specify supplier's trade name, number or such other identification as may be required to indicate the type and make-up of the tar acid oil, carbolates, phenols and substituted phenols covered by the application.

(v) *Columns 4 and 5.* Show quantities of tar acid oil and carbolates in gallons and show quantities of phenols and substituted phenols in pounds and specify "gals." or "lbs.", as the case may be.

(vi) In all cases where the applicant proposes to ship by tank car, so indicate in column 7.

(3) Interim applications for authorization to deliver, accept delivery of, or use, tar acid oil, carbolates, phenols and substituted phenols will be considered only in exceptional cases.

(f) *Notification of customers.* Producers, distributors and importers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(g) *Miscellaneous provisions—(1) Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or fur-

nishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref: M-27.

(P.D. Reg. 1, as amended, 6 F.R. 6630; W.P.B. Reg. 1, 7 F.R. 561; E.O. 8024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of November 1942.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 42-11363; Filed, November 3, 1942;  
4:42 p. m.]

#### PART 1068—CANS MADE OF TINPLATE OR TERNEPLATE

[Amendment 5 to Conservation Order M-81, as Amended June 27, 1942]

Section 1068.1 *Conservation Order M-81*, as amended June 27, 1942, is hereby amended in the following particulars:

(1) Item 10 of Miscellaneous Foods of Table II is hereby amended to read as follows:

10. *Edible liquid oils*, including only animal, vegetable, olive, fish and other marine animal, and edible blends of such oils. 5-gal. cans. Quota for the period from November 1, 1942, until December 31, 1942, is 10 percent of 1940 pack in 5 gal. size cans.

(2) Item 4 of Table III is hereby amended to read as follows:

4. *Varnish removers, lacquers (liquid), lacquer thinners, and lacquer stains.* 1-gal. cans until November 30, 1942. Terneplate throughout. 90 percent of 1940 pack.

(3) Item 5 of Table III is hereby amended to read as follows:

5. *Shellac.* 1-gal. cans until November 30, 1942. Terneplate throughout, with a lead-tin alloy coating of not to exceed 15 lbs. per double base box. 80 percent of 1940 pack.

(P.D. Reg. 1, as amended, 6 F.R. 6630; W.P.B. Reg. 1, 7 F.R. 561; E.O. 8024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of November 1942.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 42-11386; Filed, November 4, 1942;  
11:13 a. m.]

\* 7 F.R. 4836, 5272, 6148, 7030, 7237, 8471.

#### PART 1206—HORSEHIDE

[General Conservation Order M-141 as Amended November 4, 1942]

Section 1206.1 *General Conservation Order M-141* is hereby amended to read as follows:

§ 1206.1 *General Conservation Order M-141—(a) Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of Priorities Regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Horsehide" means the hide or skin which has been removed from a horse, colt, mule, ass or pony.

(2) "Raw horsehide" means an untanned horsehide before depilation.

(3) "Horsehide front" means that part of the horsehide commercially known as the "front", whether or not attached to the butt.

(4) "Horsehide butt" means that part of the horsehide commercially known as the "butt", whether or not attached to the front or shanks.

(5) "Horsehide shanks" means that part of the horsehide commercially known as the "shanks", whether or not attached to the butt.

(6) "Wet salted horsehide" means any horsehide except those commercially known as "dry South American horsehides" or "dry pony furs."

(7) "Put in process" means to soak in water or solution before depilation.

(8) "Military contract" means a contract for products to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the government of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, or Yugoslavia, or the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(9) "Military specifications" includes any and all United States Army, Navy (including the Bureau of Aeronautics and the Bureau of Ships), Marine Corps and Coast Guard specifications.

(10) "Blue chrome state" means the state after tanning but before fat-liquoring and coloring.

(11) "Converter" means any person who during the preceding three years has caused, or during the operation of this order causes, more than a sum total of 50 horsehide fronts, horsehide butts or horsehide shanks during any one calendar month to be tanned for his account by others.

(12) "Tanner" means any person who during the preceding three years has

tanned, or during the operation of this order tans, more than a sum total of 50 horsehide fronts, horsehide butts or horsehide shanks during any one calendar month either for his own account, for the account of others, or both.

(13) "Basic monthly quota" means  $\frac{1}{2}$  of the number of wet salted horsehide fronts, wet salted and dry horsehide butts, or wet salted and dry horsehide shanks, as the case may be, put into process during the period July 1, 1941 to June 30, 1942, inclusive: *Provided, however*, That no "dry ponies" processed for furs, or any part thereof, shall be included in such quota.

(c) *Restrictions on processing of horsehide fronts, butts and shanks.*

(1) No tanner shall put in process, and no converter shall cause to be put in process for his account, a greater percentage of his basic monthly quota of wet salted horsehide fronts, wet salted and dry horsehide butts, or wet salted and dry horsehide shanks, than is specified from time to time in orders supplemental to this order: *Provided, however*, That this restriction shall not apply to the processing of "dry ponies" for furs.

(2) No tanner shall put in process, and no converter shall cause to be put into process for his account, any wet salted horsehide fronts except to fill his existing orders for horsehide front leather to be physically incorporated into products for fulfilling specific existing military contracts.

(3) No tanner shall put in process, or continue to process, except in a tannage meeting military specifications, any raw horsehide front on hand as of the effective date of this order, or thereafter received by him, that in the judgment of his most qualified expert could be made by him or by any other person into suitable leather meeting military specifications in force at the time such horsehide front is put into process.

(4) The following restrictions shall apply to the processing beyond the blue chrome state of any horsehide front which in the judgment of the most qualified expert of the tanner of such horsehide front can be further processing from the blue chrome state be made by such tanner or by any other person into suitable leather meeting any military specifications:

(i) No such horsehide front which in the opinion of such expert can be made into suitable leather meeting Quartermaster Corps tentative specification for lined or unlined horsehide riding gloves may be processed by any tanner into any leather except leather meeting such specifications.

(ii) No such horsehide front which in the opinion of such expert cannot be processed into suitable leather meeting Quartermaster Corps tentative specifications for lined or unlined horsehide riding gloves but can be processed into suitable leather meeting other military specifications may be processed by any tanner into any leather except such suitable leather meeting such other military specifications.

(d) *Restrictions on deliveries, sales and use of raw horsehides and horsehide front leather.* (1) No person shall here-

after sell or deliver any raw horsehide if he knows or has reason to believe such material is to be processed or delivered in violation of this order.

(2) No tanner or converter shall hereafter sell or deliver any horsehide front leather meeting Quartermaster Corps tentative specifications for lined or unlined horsehide riding gloves except:

(i) To a converter to fill orders held by such converter for leather to be incorporated into lined or unlined horsehide riding gloves to fill specific existing contracts placed by the Quartermaster Corps, or

(ii) To a glove manufacturer for incorporation into lined or unlined horsehide riding gloves to fill his specific existing contracts placed by the Quartermaster Corps;

And no person shall accept delivery of or use any such horsehide front leather except a converter or a glove manufacturer under the respective conditions mentioned above in this subparagraph.

(3) No tanner or converter shall hereafter sell or deliver any horsehide front leather meeting any military specifications (other than Quartermaster Corps tentative specifications for lined or unlined horsehide riding gloves) except:

(i) To a converter to fill orders held by such converter for leather to be incorporated into products to fill specific existing military contracts, or

(ii) To any other person for incorporation into products to fill specific existing military contracts held by such other person;

and no person shall accept delivery of or use any such horsehide front leather except a converter or other person under the respective conditions mentioned in this subparagraph.

(4) No glove manufacturer shall utilize any cream colored horsehide front leather in the manufacture of any products not covered by an existing military contract: *Provided, however*, That any such manufacturer may apply to have any such cream colored horsehide front leather released from the provisions of this paragraph by making written application to the Director General for Operations, manually signed on behalf of the person requesting such release by a person duly authorized to make such application, containing a statement of the reasons why such horsehide leather should be released and having at the end thereof the following statement:

The undersigned hereby represents to the Director General for Operations that the statements contained herein are true and correct with full knowledge that he may be prosecuted under section 35 (a) of the Criminal Code (18 U.S.C. 80) for any false representations contained herein.

(e) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of horsehides or horsehide leather conserved, or that compliance with this order would disrupt or impair a program of conversion from non-de-

fense to defense work, may appeal to the War Production Board by letter or telegram, Reference M-141, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(f) *Reports.* Any person who puts in process, or causes to be put in process for his account, any horsehides, horsehide fronts, horsehide butts or horsehide shanks, shall file with the War Production Board monthly, beginning May 31, 1942, one copy of report form PD-475; and shall file any additional reports or forms prescribed by the War Production Board from time to time.

Any person who uses horsehide leather shall file reports and forms as prescribed by the War Production Board from time to time.

(g) *Records.* Any person who puts in process horsehides or uses horsehide leather for manufacturing purposes shall preserve such records for not less than two years as will clearly and adequately indicate his compliance with this order.

(h) *Communications to the War Production Board.* All reports, applications, forms or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Ref: M-141.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 80 and 507, 77th Cong.)

Issued this 4th day of November 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-11387; Filed, November 4, 1942; 11:13 a. m.]

#### PART 1206—HORSEHIDE

[Supplementary Order M-141-a]

Pursuant to paragraph (c) (1) of Order M-141 as amended to November 4, 1942,<sup>1</sup> which this order supplements, the Director General for Operations hereby determines that:

§ 1206.2 *Supplementary Order M-141-a.* During November and December 1942, no tanner shall put in process and no converter shall cause to be put in process for his account:

<sup>1</sup> *Supra.*

(a) More than 200% (total for both months) of his basic monthly quota of wet salted horsehide fronts,

(b) More than 160% (total for both months) of his basic monthly quota of horsehide butts,

(c) More than 160% (total for both months) of his basic monthly quota of horsehide shanks.

(P.D. Reg. 1, as amended, 6 F.R. 6630; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125; 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of November 1942.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 42-11388; Filed, November 4, 1942;  
11:13 a. m.]

#### PART 3104—PHENOLIC RESINS AND PHENOLIC RESIN MOLDING COMPOUNDS

[General Preference Order M-246]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of phenolic resins and phenolic resin molding compounds for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3104.1 *General Preference Order M-246*—(a) *Definitions.* For the purposes of this order:

(1) "Phenolic reactant" means:

(i) Any of the synthetic phenols, including resorcinol, of all grades and from whatever source derived.

(ii) Phenolic acids, either in pure or crude form comprised in whole or in part of one or more of the following: phenol, ortho cresol, meta cresol, para cresol, xylenols and commercial grades of higher boiling cresylic acids, from whatever source derived.

(iii) Any of the substituted phenols, of all grades and from whatever source derived.

(2) "Aldehyde" means any organic compound containing the monovalent—CHO radical.

(3) "Phenolic resin" means any synthetic reaction product of a phenolic reactant with an aldehyde or a derivative of an aldehyde such as, for example, formaldehyde, furfural, para formaldehyde or hexamethylenetetramine. Such term includes, but is not limited to, phenolic resins, modified or otherwise, in liquid, lump, spray dried, cast or pulverized form and in solutions commonly termed laminating varnishes and resin solutions as well as resin dispersions, emulsions and cement. The term does not include any reaction product of lignin, cashew nut shell liquid or cardinol unless enriched with another phenolic reactant.

(4) "Phenolic resin molding compound" means any combination of phenolic resin and bulk filler such as, for example, wood flour, asbestos, mica, cotton fibres, or macerated fabrics, which can be molded. Such term includes, but is not limited to, molding compound, molding board and molding blanks.

(5) "Producer" means any person engaged in the production of any phenolic resin or phenolic resin molding compound and includes any person who has any such material produced for him pursuant to toll agreement.

(b) *Restrictions on use and delivery.*

(1) On and after December 1, 1942, subject to the exemptions provided for in paragraphs (c) and (d) hereof, no producer shall use or deliver any phenolic resin or any phenolic resin molding compound, and no person shall accept delivery thereof from a producer, except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (f) hereof.

(2) Each person accepting delivery of any phenolic resin or any phenolic resin molding compound pursuant to specific authorization of the Director General for Operations, shall use the same only for the purposes specified in such authorization.

(3) Each person affected by this order shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the use or delivery of any phenolic resin or any phenolic resin molding compound.

(c) *Small order exemptions.* The specific authorization provided for in paragraph (b) (1) hereof shall not be required with respect to the following:

(1) Use by any producer, during any one month, of fifty (50) pounds or less of phenolic resins, other than cast resins, and of phenolic resin molding compounds.

(2) Delivery by any producer to any one person, during any one month, of fifty (50) pounds or less of phenolic resins, other than cast resins, and of phenolic resin molding compounds, or the acceptance of delivery thereof by such person, subject to the following conditions:

(i) Each producer desiring to make small order deliveries of any phenolic resin or phenolic resin molding compound pursuant to this paragraph (c) (2) shall apply for authorization to make small order deliveries pursuant to paragraph (f) (2) (iv) hereof, and the aggregate amount of small order deliveries made by any producer during any month shall not exceed the amount of small order deliveries which he is specifically authorized to make.

(ii) Each person seeking delivery of any phenolic resin or phenolic resin molding compound pursuant to this paragraph (c) (2) shall file with his supplier, at the time of placing his order

therefor, a certificate in substantially the following form:

The undersigned hereby certifies that if the delivery of the phenolic resins and phenolic resin molding compounds covered by the accompanying order is made, the undersigned will not have received during the current month in excess of fifty (50) pounds of such materials.

(Name of customer)

By \_\_\_\_\_  
(Signature of authorized official)

Date: \_\_\_\_\_ Title: \_\_\_\_\_

The above certificate shall constitute a representation to (but shall not be filed with) the War Production Board.

(d) *General exemptions.* The specific authorization provided for in paragraph (b) (1) hereof shall not be required with respect to the following:

(1) Use of any phenolic resin or phenolic resin molding compound by any producer for the purpose of producing any other phenolic resin or phenolic resin molding compound.

(2) Intra-company deliveries of any phenolic resin or phenolic resin molding compound by any producer, or the acceptance of such delivery, for the purpose of producing any other phenolic resin or phenolic resin molding compound.

(3) Use for experimental purposes by any producer during any one month of not to exceed one 55 gallon container of phenolic resins or phenolic resin molding compounds.

(4) Delivery to, or acceptance of delivery by, any one person during any one month, for use for experimental purposes only, of not to exceed one 55 gallon container of phenolic resins or phenolic resin molding compounds: *Provided, however, That aggregate deliveries by any producer under this paragraph (d) (4) shall not, in any month, exceed, with respect to phenolic resins, one-half of one per cent of his production of phenolic resins during the preceding month, and shall not, in any month, exceed, with respect to phenolic resin molding compounds, one-half of one per cent of his production of phenolic resin molding compounds during the preceding month.*

(5) Delivery, acceptance of delivery or use of resins made from para-phenylphenol, which materials are governed by General Preference Order M-254.

(6) Delivery, acceptance of delivery, or use of any article or material made in whole or in part from any phenolic resin or phenolic resin molding compound where the phenolic resin or phenolic resin molding compound used in the manufacture of such article or material was acquired prior to the effective date of this order or was acquired from a producer, or used, pursuant to specific authorization of the Director General for Operations or pursuant to the small order exemption provided for in paragraph (c) hereof. Any person purchasing any article or material made in whole or in

part from any phenolic resin or phenolic resin molding compound shall have the right to assume, unless he knows or has reason to believe the contrary to be true, that the phenolic resin or phenolic resin molding compound used in the manufacture of such article or material was acquired prior to the effective date of this order or that the acquisition thereof was authorized by the Director General for Operations or by the small order exemption provided for in paragraph (c) hereof.

The exemption provided for in this paragraph (d) (6) shall not be construed as relieving any person from the obligation of applying, pursuant to paragraph (f) (1) (vi) hereof, for authorization to use phenolic resins or phenolic resin molding compounds, allocated to inventory or for a prospective product use which does not materialize.

(e) *Certification of consumer use.* (1) Any person seeking to purchase from the manufacturer thereof, any plywood (including shaped plywood and shaped impregnated wood), protective coating, laminate, molded product, or any of the products listed on Schedule A attached hereto, made in whole or in part from any phenolic resin or phenolic resin molding compound, shall, at the time of placing his order for such product, file with his supplier a certificate specifying the ultimate use to which such product will be put. Where such a certificate is supplied in connection with any order it shall not be necessary to file additional certificates in connection with deliveries made from time to time, in fulfillment of such order. Such certificate may be placed on the purchaser's purchase order and shall be in substantially the following form:

The undersigned hereby certifies that the product covered by the accompanying purchase order will be used solely for the production of the products and materials listed above and that said products and materials will be used only for the purpose or purposes designated.

By-----  
(Name of customer)  
By-----  
(Signature of authorized official)  
Date:----- Title:-----

The above certificate shall constitute a representation to (but shall not be filed with) the War Production Board.

(2) The certificate provided for in paragraph (e) (1) hereof shall be sufficiently specific to enable the purchaser's supplier to indicate product use on his application for phenolic resins or phenolic resin molding compounds pursuant to paragraph (f) (1) (vi) hereof. Allocations of phenolic resins and phenolic resin molding compounds will be based on specific use of each product, and it is, therefore, essential that information with respect to product use be as precise as possible. For example, specify

"Navy—torpedo boat—bulkhead" not merely "Navy", "torpedo boat" or "bulkhead". In cases where orders are made for inventory, the purchaser must indicate prospective product uses, and in the event a prospective use does not materialize, the purchaser shall not use the product made from phenolic resin or phenolic resin molding compound purchased for such use without authorization of the Director General for Operations. Applications for such authorization may be made by letter directed to the Chemicals Branch of the War Production Board, Ref. M-246, setting forth the material facts. Such letters shall be certified by the applicant in substantially the following form:

The undersigned applicant certifies to the War Production Board that the information contained in this letter is complete and correct.

By-----  
(Name of applicant)  
By-----  
(Signature of authorized official)  
Date:----- Title:-----

(3) No person shall, regardless of the provisions of Priorities Regulation No. 1, be required to fill any order for any product made in whole or in part from any phenolic resin or phenolic resin molding compound where the purchaser is required by this paragraph (e) to file a certificate of product use, unless and until such certificate shall have been filed with him.

(f) *Applications and reports.* In addition to such other reports as may from time to time be required by the Director General for Operations:

(1) Each producer seeking authorization to use, and each person seeking authorization to accept delivery of, any phenolic resin or phenolic resin molding compound shall apply for such authorization on Form PD-600. Such applicant shall file with the War Production Board the original and two copies of such form on or before the 18th day of the month preceding the month for which such authorization is requested and shall file two copies of such form with his supplier on or before the 18th day of such month. Form PD-600 shall be completed by the applicant in accordance with the following instructions:

(i) *General.* Except as hereinafter specifically provided to the contrary, the applicant shall supply all of the information called for by such form. Failure to comply with these instructions may result in denial of the application.

(ii) Applications for phenolic resins and phenolic resin molding compounds may be included in a single form but separate applications shall be filed for such materials by each of the following:

(a) Manufacturers of plywood (including shaped plywood and shaped impregnated wood).

(b) Manufacturers of laminates.

(c) Manufacturers of protective coatings.

(d) Manufacturers of molded products.

(e) Schedule A specialty manufacturers.

(f) Specialty manufacturers.

The term "Schedule A specialty manufacturer" shall be taken to include all persons engaged in the manufacture of products listed on Schedule A. The term "specialty manufacturer" shall be taken to include all persons engaged in the manufacture of any product other than plywood (including shaped plywood and shaped impregnated wood), laminates, protective coatings, molded products and products listed on Schedule A.

Each applicant shall, immediately following his name, specify the nature of his business, that is, plywood manufacturer, laminator, molder, protective coating manufacturer, Schedule A specialty manufacturer or specialty manufacturer.

(iii) *Heading.* Specify "Phenolic Resins and Phenolic Resin Molding Compounds" and order number "M-246" and specify pounds (net) as the unit of measure, and in addition to specifying the delivery destination, indicate the address to which communications should be directed.

(iv) *Column 1.* Specify supplier's trade name, number or such other identification as may be required to indicate the type and make-up of each phenolic resin and each phenolic resin molding compound.

(v) *Column 3.* In the case of a laminator, specify sheets, rods, tubes and molded shapes.

In the case of a plywood (including shaped plywood and shaped impregnated wood) manufacturer, specify plywood.

In the case of a manufacturer of protective coatings, specify protective coatings.

In the case of a manufacturer of molded products, describe the product to be produced and identify by giving its function. For example, specify "aircraft-radio condenser" not merely "aircraft", "radio" or "condenser".

In the case of a Schedule A specialty manufacturer, specify the number of the product as shown on Schedule A.

In the case of a specialty manufacturer, describe the product to be produced and identify by giving its function. For example, specify "brake lining" not "friction material".

In all cases where orders are made for inventory, specify inventory.

(vi) *Column 4.* In the case of a plywood manufacturer, a laminator, a manufacturer of protective coatings, a manufacturer of molded products and a Schedule A specialty manufacturer, specify the product or material and product use certified by the applicant's customer.

in accordance with paragraph (e) hereof. The applicant shall be entitled to rely on the information given in such certificate unless he knows or has reason to believe it to be false. Applicants other than those listed above in this paragraph (f) (1) (vi) may leave column 4 blank.

Similar product uses may be grouped where it is possible to do so without sacrificing clarity.

In cases where orders are made for inventory, the applicant shall specify either prospective product uses or "Subject to further authorization". Where "Subject to further authorization" is specified or where a prospective product use does not materialize, the applicant shall not use the phenolic resin or phenolic resin molding compound allocated for inventory or for such product use without authorization of the Director General for Operations. Applications for such authorization shall be made on Form PD-600 and may be filed at any time. In such cases the applicant shall file with the War Production Board the original and two copies of such form prepared in the manner therein and herein specified except that Tables II, III and IV may be left blank. It shall not be necessary to file copies of such form with the applicant's supplier.

An applicant who has been allocated phenolic resin or phenolic resin molding compound for the manufacture of a specified product shall have the right, prior to receipt of such allocated material, to use material from inventory for the manufacture of such product: *Provided, however,* That the amount of such material so used shall be restored upon receipt of the material acquired pursuant to allocation for the manufacture of such product.

(vii) *Columns 5, 6, 7 and 8.* Leave blank.

(viii) *Columns 11 and 19.* In lieu of listing the grades of phenolic resins and phenolic resin molding compounds on hand, the applicant may group all phenolic resins as a single item and all phenolic resin molding compounds as a single item.

(ix) *Tables I, II and III.* These tables may be extended on the reverse side of the form.

(x) *Table IV.* Leave blank.

(2) Each producer seeking authorization to deliver any phenolic resin or any phenolic resin molding compound pursuant to paragraph (b) (1) hereof, shall apply for such authorization on Form PD-601. Such applicant shall file with the War Production Board the original

and two copies of such form on or before the 23rd day of the month preceding the month for which such authorization is requested together with one copy of each Form PD-600 filed with him by his customers pursuant to paragraph (f) (1) hereof. Form PD-601 shall be completed by the applicant in accordance with the following instructions:

(i) *General.* Except as hereinafter specifically provided to the contrary, the applicant shall supply all of the information called for by such form. Failure to comply with these instructions may result in denial of the application.

(ii) Applications covering phenolic resins and phenolic resin molding compounds may be included in a single form but separate applications shall be filed for each of the classes of customers specified in paragraph (f) (1) (ii) hereof.

(iii) *Heading.* Specify "Phenolic Resins and Phenolic Resin Molding Compounds" and order number "M-246" and specify pounds (net) as the unit of measure, and in addition to giving the plant or warehouse address, indicate the address to which communications should be sent.

(iv) *Column 1.* If authorization to make small order deliveries pursuant to paragraph (c) (2) (i) hereof is requested, insert "Aggregate small order deliveries" in column 1 after completing the list of customers requiring in excess of fifty (50) pounds of phenolic resins or phenolic resin molding compounds, and specify in column 4 the aggregate amount of small order deliveries requested to be authorized.

(v) *Column 3.* In lieu of listing the grades of phenolic resins and phenolic resin molding compounds ordered by each customer the applicant may group, with respect to each customer, all phenolic resins as a single item and all phenolic resin molding compounds as a single item.

(vi) *Column 7.* Specify the capacity or capacities of the applicant's standard container or containers which the applicant proposes to use in making shipment. Where the applicant applies for authorization to make a delivery to himself, the applicant shall specify the standard batch size necessary to fill his requirements.

(vii) *Column 8.* Specify applicant's trade name, number or such other identification as may be required to indicate the type and make-up of each phenolic resin and each phenolic resin molding compound.

(3) Interim applications for authorization to deliver or accept delivery of phenolic resins or phenolic resin molding

compounds will be considered only in exceptional cases.

(g) *Notification of customers.* Each producer shall, as soon as practicable, notify each of his regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(h) *Miscellaneous provisions—(1) Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref: M-246.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of November 1942.

ERNEST KANZLER,  
Director General for Operations.

#### SCHEDULE A

(1) Insulating batting built with rock wool, glass wool or wood wool fibre bonded with phenolic resin.

(2) Floor tile, linoleum or other floor covering material, with a binder or saturant formulated in whole or in part with phenolic resin.

(3) Paper tubing impregnated with phenolic resin or a resin-bearing saturant.

(4) Brushes, other than paint and lacquer brushes, built with a phenolic resin adhesive for bonding the bristle used in the making of such brushes.

(5) Flexible fabric coated with a phenolic resin-bearing coating material.

[F. R. Dec. 42-11389; Filed, November 4, 1942; 11:13 a. m.]



## Chapter XI—Office of Price Administration

## PART 1301—MACHINE TOOLS

[RPS 1,<sup>1</sup> Amendment 1]

## SECOND-HAND MACHINE TOOLS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Paragraph (a) of § 1301.5 is amended and new §§ 1301.5a and 1301.6a are added, to read as set forth below:

§ 1301.5 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 1 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1301.5a *Licensing.* (a) The provisions of Supplementary Order No. 20,<sup>2</sup> licensing, among others, dealers selling second-hand machine tools or extras, are applicable to every dealer selling (other than at retail) second-hand machine tools or extras for which maximum prices are established by Appendix A (§ 1301.7). When used in this paragraph, the term "dealer" has the definition given to it by Supplementary Order No. 20.

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling at retail second-hand machine tools or extras for which maximum prices are established by Appendix A (§ 1301.7). When used in this paragraph, the term "selling at retail" has the definition given to it by § 1499.20 (c) of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at retail on May 18, 1942.

§ 1301.6a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1301.5, 1301.5a and 1301.6a) to Revised Price Schedule No. 1 shall become effective November 9, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11342; Filed, November 3, 1942; 12:12 p. m.]

## PART 1305—ADMINISTRATION

[Supp. Order 19,<sup>3</sup> Amendment 1]

## LICENSING DISTRIBUTORS OF PAPER AND PAPER PRODUCTS

A statement of the reasons involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 1202, 1836, 2132, 6385.

<sup>2</sup> 7 F.R. 7490.

<sup>3</sup> 7 F.R. 7434.

Paragraphs (a) and (b) of § 1305.23 are amended and a new § 1305.23 (j) is added to read as set forth below:

§ 1305.23 *Provisions licensing distributors of paper and paper products—*(a) *License required.* Effective September 24, 1942 a license as a condition of selling is hereby required of every distributor now or hereafter selling any paper, paper product or materials for which maximum prices are established by Price Regulations Nos. 114, 130, 140, 182, as now or hereafter amended or supplemented, or by any price regulation now or hereafter issued, amended or supplemented by the Office of Price Administration making applicable by reference the provisions of this Supplementary Order No. 19.

(b) *License granted.* Every distributor now or hereafter selling any paper, paper product or materials for which maximum prices are established by Price Regulations Nos. 114, 130, 140, 182, as now or hereafter amended or supplemented, or by any price regulation now or hereafter issued, amended or supplemented by the Office of Price Administration making applicable by reference the provisions of this Supplementary Order No. 19, is hereby granted a license as a condition of selling such paper, paper product or materials.

The provisions of every price regulation of the Office of Price Administration to which this order now is or may hereafter become applicable shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. The license granted by this order shall become effective September 24, 1942, or when any person becomes subject to the provisions of this order, and shall, unless suspended as provided in the Act, continue in force so long as and to the extent that any such regulation or any applicable part, amendment or supplement remains in effect.

(j) *Effective dates of amendments.* (1) Amendment No. 1 (§§ 1305.23 (a) and 1305.23 (b) and 1305.23 (j)) to Supplementary Order No. 19 shall become effective November 9, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11350; Filed, November 3, 1942; 1:38 p. m.]

## PART 1340—FUEL

[MPR 122, Amendment 9]

## MAXIMUM PRICES FOR SOLID FUELS

Amendment No. 9 Under Maximum Price Regulation No. 122<sup>1</sup>—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers.

A statement of considerations involved in the issuance of this amendment has

<sup>1</sup> 7 F.R. 3239, 3666, 3856, 3940, 3941, 5024, 5567, 5835, 7809.

been issued simultaneously herewith and filed with the Division of the Federal Register.\*

In § 1340.261 (c), a new subparagraph (9) is added to read as set forth below:

§ 1340.261 *Appendix A: Maximum prices for solid fuels delivered from facilities other than producing facilities.* \* \* \*

(c) \* \* \* (9) During the period from November 1, 1942 to January 1, 1943 as an alternative method to that provided in subparagraph (2) for computing a maximum price for the sale of a particular size and quality of bituminous coal, a seller may add (i) the "weighted average price" charged during December 1941 for such coal to (ii) the amount, if any, by which the applicable minimum price, f. o. b. the mine, established by the Bituminous Coal Division of the United States Department of the Interior and in effect October 1, 1942 exceeds the "weighted average purchase cost" of such coal during the "base cost period."

In the computation of an adjustment under this subparagraph (9), the Bituminous Coal Division October 1, 1942 minimum price, f. o. b. the mine, for the sale of such coal to the seller filing Form No. 1122.1 will be inserted as Item B on Sheet 1 of the form, and on line 1 of the Computation of Price Adjustment on Sheet 2 of the form. A notation shall be made on the form indicating the substitutions of the minimum price for which this subparagraph (9) makes provision.

§ 1340.260a *Effective dates of amendments.* \* \* \*

(1) Amendment No. 9 (§ 1340.261 (c) (9)) to Maximum Price Regulation No. 122 shall be effective as of November 1, 1942.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11351; Filed, November 3, 1942; 1:38 p. m.]

## PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[MPR 140,<sup>1</sup> Amendment 3]

## SANITARY NAPKINS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 1347.157a is amended to read as set forth below:

§ 1347.157a *Licensing.* (a) The provisions of Supplementary Order No. 19, licensing distributors of paper and paper products are applicable to every distributor selling sanitary napkins for which maximum prices are established by Appendix A (§ 1347.161). The term "dis-

<sup>1</sup> 7 F.R. 3410, 5563, 7178.



tributor" shall have the meaning given to it by Supplementary Order No. 19.

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling at retail sanitary napkins for which maximum prices are established by Appendix A (§ 1347.161). The term "selling at retail" shall have the meaning given it by § 1499.20 (c) of the General Maximum Price Regulation.

\* \* \*  
§ 1347.160a *Effective dates of amendments.* \* \* \*

(c) Amendment No. 3 (§ 1347.157a) to Maximum Price Regulation No. 140 shall become effective November 9, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of November, 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11353; Filed, November 3, 1942;  
1:37 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[MPR 114,<sup>1</sup> Amendment 4]

WOODPULP

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Paragraph (a) of § 1347.227 is amended and a new § 1347.227a is added, to read as set forth below:

§ 1347.227 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 114 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

\* \* \*  
§ 1347.227a *Licensing.* The provisions of Supplementary Order No. 19, licensing distributors of paper and paper products, are applicable to every distributor selling woodpulp for which maximum prices are established by Appendix A (§ 1347.232). The term "distributor" shall have the meaning given to it by Supplementary Order No. 19.

§ 1347.231a *Effective dates of amendments.* \* \* \*

(d) Amendment No. 4 (§§ 1347.227 and 1347.227a) to Maximum Price Regulation No. 114 shall become effective November 9, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11354; Filed, November 3, 1942;  
1:32 p. m.]

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 2843, 3576, 505C, 5564.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[MPR 182,<sup>1</sup> Amendment 2]

KRAFT WRAPPING PAPERS AND CERTAIN KRAFT BAG PAPERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Paragraph (a) of § 1347.303 is amended and a new § 1347.308a is added, to read as set forth below:

§ 1347.303 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 182 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

\* \* \*  
§ 1347.303a *Licensing.* The provisions of Supplementary Order No. 19, licensing distributors of paper and paper products, are applicable to every distributor selling Kraft wrapping papers or Kraft bag papers for which maximum prices are established by § 1347.301. The term "distributor" shall have the meaning given to it by Supplementary Order No. 19.

§ 1347.314 *Effective dates of amendments.* \* \* \*

(c) Amendment No. 2 (§§ 1347.303 and 1347.308a) to Maximum Price Regulation No. 182 shall become effective November 9, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11352; Filed, November 3, 1942;  
1:37 p. m.]

PART 1358—TOBACCOS

[MPR 260]

CIGARS

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of cigars by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.\* In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 260 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250. So far as practical, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emer-

gency Price Control Act of 1942, as amended and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1,<sup>1</sup> issued by the Office of Price Administration, Maximum Price Regulation No. 260 is hereby issued.

Sec.

- 1358.101 Prohibition against sales of cigars above maximum prices.
- 1358.102 Maximum prices for cigars.
- 1358.103 Maximum prices set under this regulation cannot be changed.
- 1358.104 Less than maximum price.
- 1358.105 Applicability of the General Maximum Price Regulation.
- 1358.106 Export sales.
- 1358.107 Federal and state taxes.
- 1358.108 Petitions for amendment.
- 1358.109 Evacuation.
- 1358.110 Licensing.
- 1358.111 Enforcement.
- 1358.112 Definitions.
- 1358.113 Notification of adjustment.
- 1358.114 Geographical applicability.
- 1358.115 Effective dates.
- 1358.116 Appendix A: Maximum prices for cigars.

AUTHORITY: §§ 1358.101 to 1358.116 inclusive, issued under Pub. Laws 421 and 729, 77th Congress, E.O. 9250, 7 F.R. 7871.

§ 1358.101 *Prohibition against sales of cigars above maximum prices.* On and after November 1, 1942, regardless of any contract, agreement, lease or other obligation:

(a) No person shall sell or deliver any cigars at higher prices than the maximum prices set forth in Appendix A (§ 1358.116), subject to the provisions of § 1358.102, of this Maximum Price Regulation No. 260.

(b) No person shall buy or receive any cigars in the course of trade or business at higher prices than the maximum prices set forth in this Maximum Price Regulation No. 260.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1358.102 *Maximum prices for cigars—(a) Manufacturers' maximum prices.* (1) To determine his maximum list price for any particular price class of cigars, each manufacturer shall first note from Column 1 of Appendix A his March, 1942 stated retail price for such particular class of cigars. He shall then ascertain from Column 3 of Appendix A the new maximum retail price for such particular class of cigars; and from Column 4 of Appendix A his new maximum list price for such particular class of cigars.

(2) (i) Any manufacturer may elect to retain the March, 1942 stated retail price with respect to any particular class of cigars. If he so elects, he shall determine from Column 2 of Appendix A the March, 1942 list price for such particular price class of cigars and such list price shall be his maximum list price therefor.

(ii) If any manufacturer elects to adopt as the maximum retail price for any particular class of cigars set forth in Column 1 of Appendix A, an amount greater than that set forth in Column 1 of Appendix A, but less than that indicated therefor in Column 3 of Appendix

<sup>1</sup> 7 F.R. 5712, 6048, 7874.

<sup>1</sup> 7 F.R. 8351.

A, he shall determine his maximum list price for such class of cigars in the manner set forth in subparagraphs (2), (3) and (4) of paragraph (b) of this section.

(3) To determine his maximum net selling price for any particular class of cigars, each manufacturer shall deduct from his maximum list price for such class of cigars, his March, 1942 customary discounts and allowances to the particular class of purchasers in question.

(4) The prices set forth in Appendix A hereof are based upon packings of fifty cigars to the individual container. All price differentials in packings allowed in March, 1942 shall not be reduced. All price differentials in packings charged shall not be in excess of such differentials of March, 1942.

(5) Any manufacturer whose March, 1942 list price for any particular class of cigars was a net selling price, subject only to a discount for cash, shall determine his maximum net selling price with respect thereto in the following manner: (i) Divide his March, 1942 net selling price by the list price indicated in Column 2 of Appendix A for such particular price class of cigars, and (ii) multiply the resulting figures by the list price set forth in Column 4 of Appendix A for such particular price class of cigars. Such latter figure shall be the manufacturer's maximum net selling price for such particular price class of cigars.

(b) *Maximum prices for classes other than those set forth in Column 1 of Appendix A.* For all price classes of cigars for which no March, 1942 stated retail price is indicated in Column 1 of Appendix A hereof, the maximum retail price and the maximum list price for such particular price class shall be determined as follows:

(1) Add to the March, 1942 stated retail individual unit price or to the stated retail multiple unit price, as the case may be, 20 per centum thereof to determine the maximum retail price for such single unit price or multiple unit price respectively.

(2) (i) In the case of individual unit prices, multiply such maximum retail price by 1000 to determine the maximum retail price per thousand cigars of such class.

(ii) In the case of multiple unit prices, divide the number of unit items within such multiple unit into 1000, and multiply the resulting figure by the maximum retail price to determine the maximum retail price per thousand cigars of such class.

(3) If the maximum retail price per thousand, determined at (2) hereof, is less than \$90, subtract 20 per centum of such amount to determine the maximum manufacturer's and wholesaler's list price per thousand cigars of such class, or

(4) If the maximum retail price per thousand determined at (2) is \$90 or more, subtract 25 per centum of such amount to determine the maximum manufacturer's and wholesaler's list price per thousand cigars of such class.

(5) To determine his maximum net selling price for any particular class of

cigars, each manufacturer and wholesaler shall deduct from his maximum list price for such class of cigars, his March, 1942 customary discounts and allowances to the particular class of purchasers.

(6) The maximum prices determined at subparagraph (5) of this paragraph (b) are based upon packings of fifty cigars to the individual container. All price differentials in packings allowed in March, 1942 shall not be reduced. All price differentials in packings charged shall not be in excess of such differentials of March, 1942.

(c) *Wholesalers' maximum prices.* (1) Upon receipt of notification pursuant to § 1358.113 hereof of an adjustment of the stated retail or list prices for any particular March 1942 stated retail price class of cigars, the wholesaler may adjust his maximum list price for such price class of cigars to an amount not in excess of such manufacturer's maximum list price. With reference to his floor-stocks of such particular class of cigars on the date of receipt of such notification, he shall state in plainly visible numerals upon each box or container of such cigars the exact adjusted maximum retail price for each such class of cigars.

(2) Where any manufacturer elects to retain the March, 1942 stated retail price with respect to any particular class of cigars, the wholesaler's maximum list price shall not be in excess of such manufacturer's maximum list price therefor, or the March 1942 list price therefor set forth in Column 2 of Appendix A, whichever is lower.

(3) To determine his maximum net selling price for any particular price class of cigars, each wholesaler shall deduct from maximum list price for such class of cigars, as determined in subparagraphs (1) and (2) hereof, his March 1942 customary discounts and allowances to the particular class of purchasers in question.

(4) All price differentials in packings allowed in March, 1942 shall not be reduced. All price differentials in packings charged shall not be in excess of such differentials of March 1942.

(d) *Retailers' maximum prices.* (1) Upon receipt of notification pursuant to § 1358.113 hereof from the manufacturer or wholesaler of an adjustment of the maximum retail price for any particular class of cigars, the retailer may adjust the maximum price for such particular class of cigars to a maximum retail price only in accordance with such notification. Such notification shall be applicable to floor-stocks.

(2) Where any manufacturer elects to retain the March 1942 stated retail price with respect to any particular class of cigars, such stated retail price shall be the retailer's maximum price therefor, as set forth in Column 1 of Appendix A.

(e) *Maximum prices for new brands of cigars.* Any manufacturer who desires to manufacture and sell a new brand of cigars may make application to the Office of Price Administration, Washington, D. C., for a determination of the maximum list price, the schedule of discounts and allowances, and the maximum retail

price therefor. Such application shall set forth a full and complete description of all materials to be used in the manufacture of such new brand of cigars and a full and complete statement of all estimated manufacturing costs. The Price Administrator or any duly authorized officer of the Office of Price Administration may by order establish the maximum list price, the schedule of discounts and allowances, and the maximum retail price for any new brand of cigars which is the subject of an application under this provision.

§ 1358.103 *Maximum prices set under this regulation cannot be changed.* On or before January 15, 1943, each seller of cigars must establish an adjusted maximum list price and an adjusted maximum retail price pursuant to this regulation for each class of cigars sold by him. After January 15, 1943, such maximum price calculated by any seller of cigars under §§ 1358.102 and 1358.116 of this regulation, shall be his maximum price for that item from that time forward.

§ 1358.104 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 260 may be charged, demanded, paid or offered.

§ 1358.105 *Applicability of the General Maximum Price Regulation.* (a) The provisions of this Maximum Price Regulation No. 260 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of cigars for which maximum prices are established by this regulation.

(b) The following sections of the General Maximum Price Regulation as well as amendments thereto, shall be applicable to every manufacturer, seller at wholesale or at retail:

- (1) Special deals (§ 1499.4 (b)).
- (2) Transfers of business or stock in trade (§ 1499.5).
- (3) Base period records (§ 1499.11).
- (4) Current records (§ 1499.12).
- (5) Sales slips and receipts (§ 1499.14).
- (6) Definitions (§ 1499.20 (a), (d), (e), (i), (j), (m), (o), (p), (r), (s)).

§ 1358.106 *Export sales.* The maximum prices at which a person may export cigars shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation<sup>2</sup> issued by the Office of Price Administration.

§ 1358.107 *Federal and State taxes.* (a) The amount of all Federal taxes with respect to cigars is reflected in the maximum prices for cigars established by this Maximum Price Regulation No. 260 and no amount may be added to the maximum price of any seller with respect thereto.

(b) The amount of any State tax incident to the sale, delivery, processing or use of cigars which has customarily been added to the stated retail price thereof may be added to the maximum prices for cigars established by this Maximum Price Regulation No. 260.

<sup>2</sup> 7 F.R. 5059, 7242.

(c) The amount of any State tax incident to the sale, delivery, processing or use of cigars which has not customarily been added to the stated retail price thereof shall not be added to the maximum prices for cigars established by this Maximum Price Regulation No. 260.

(d) The amount of any new or increased State taxes incident to the sale, delivery, processing or use of cigars which would not customarily be added to the stated retail price thereof may not be added to the maximum prices for cigars established by this Maximum Price Regulation No. 260.

(e) The amount of any new or increased State taxes incident to the sale, delivery, processing or use of cigars which would customarily be added to the stated retail price thereof may be added to the maximum prices for cigars established by this Maximum Price Regulation No. 260.

§ 1358.108 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 260 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1358.109 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 260 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale or delivery of, or relating to the sale of cigars alone or in connection with any other commodity, or by way of commission, service, transportation, or any charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) The reduction or elimination of the seller's customary allowances, promotional and advertising allowances, discounts or other price differentials existing due to freight or otherwise during March, 1942 for the determination of the maximum prices of any seller:

(2) The depreciation of the quality or size of a cigar other than a normal variation.

§ 1358.110 *Licensing; Applicability of the registration and licensing provisions of the General Maximum Price Regulation.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person making sales at wholesale or retail of any cigar for which maximum prices are established by this Maximum Price Regulation No. 260. Said registration and licensing provisions become effective as to per-

sons selling at wholesale on May 11, 1942 and as to persons selling at retail on May 13, 1942.

§ 1358.111 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 260 are subject to the criminal penalties, civil enforcement actions, license suspensions proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942.

(b) Persons who have any evidence of any violation of this Maximum Price Regulation No. 260 or any price schedule, regulation or order, issued by the Office of Price Administration, or any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state, or regional offices of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1358.112 *Definitions.* When used in Maximum Price Regulation No. 260 the term:

(a) "Cigar" includes all types of cigars including Cheroots, Stogies, and little cigars, except those weighing less than three pounds per thousand.

(b) "Manufacturers' list price" means the manufacturers' gross price per thousand cigars before discounts and allowances.

(c) "Manufacturers' net selling price" means the manufacturers' list price less all discounts and allowances.

(d) "Stated retail price" means the retail price printed or otherwise marked upon the individual box or other container of cigars.

(e) "Packings" means the number of cigars contained in any container of cigars for sale at retail and the style and quality of the container.

§ 1358.113 *Notification of adjustment—(a) Manufacturers.* On and after the effective date hereof, every manufacturer must state in plainly visible numerals upon each box or container of cigars sold or delivered by him the exact maximum retail price of such cigars as determined pursuant to §§ 1358.102 and 1358.116 hereof. On or before the first delivery of any cigars after the effective date hereof, he shall notify each purchaser of the exact amount of his maximum list price and of the exact amount of the maximum retail price of the particular class of cigars in question. Such notification shall be accomplished by a written statement as follows:

On our brand (describe cigar), the Office of Price Administration has authorized us to establish new maximum prices. The March 1942 stated retail price was \_\_\_\_ cents for each (or \_\_\_\_ for \_\_\_\_ cents). The new OPA ceiling retail price is \_\_\_\_ cents each (or \_\_\_\_ for \_\_\_\_ cents). Our March, 1942

list price was \$\_\_\_\_ per thousand for such class of cigars. Our new OPA list price is \$\_\_\_\_ per thousand for such class of cigars. All customary discounts and allowances in effect in March, 1942 on your purchases will not be lowered. All packings differentials allowed heretofore will not be lowered and all packings differentials charged will not be increased. The Office of Price Administration requires that you keep this notification for examination.

No notification shall be required after the first notification to any particular purchaser with reference to any particular price class of cigars unless an adjustment of the maximum prices established pursuant to the provisions hereof is made on or before January 15, 1942.

(b) *Wholesalers.* No wholesaler shall in any manner alter or efface the retail price stated upon each box or container received from the seller except as may be required by paragraph (c) (1) of § 1358.102. On or before the first delivery of cigars after the effective date hereof each wholesaler shall notify the purchaser of the exact amount of his maximum list price and the maximum retail price of such cigars in the following manner:

On our brand (describe cigar), the Office of Price Administration has authorized us to establish new maximum prices. The March, 1942 stated retail price was \_\_\_\_ cents each (or \_\_\_\_ for \_\_\_\_ cents). Your new OPA ceiling retail price is \_\_\_\_ cents each (or \_\_\_\_ for \_\_\_\_ cents). Our March, 1942 list price was \$\_\_\_\_ per thousand for such class of cigars. Our new OPA list price is \$\_\_\_\_ per thousand for such class of cigars. All customary discounts and allowances in effect in March, 1942 on your purchases will not be lowered. All packings differentials allowed will not be lowered and all packings differentials charged will not be increased. The Office of Price Administration requires that you keep this notification for examination.

No notification shall be required after the first notification to any particular purchaser with reference to any particular price class of cigars unless an adjustment of the maximum prices established pursuant to the provisions hereof is made on or before January 15, 1942.

§ 1358.114 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 260 shall be applicable to the forty-eight states, the District of Columbia, and the territories and possessions of the United States.

§ 1358.115 *Effective date.* This Maximum Price Regulation No. 260 (§§ 1358.101 to 1358.116, inclusive) shall be effective as of November 1, 1942 for the District of Columbia and the forty-eight states of the United States and shall become effective November 12, 1942 for the territories and possessions of the United States.

## § 1358.116 Appendix A

Column 1— March 1942 retail prices	Column 2— March 1942 manu- facturers' and wholesalers' list prices	Column 3— maximum retail prices	Column 4— Manu- facturers' and wholesalers' maximum list prices
1¢	\$8.00	5 for 6¢	\$9.60
7 for 10¢	11.00	7 for 12¢	13.70
3 for 5¢	14.00	2¢ each	16.00
2¢	16.00	2 for 5¢	20.00
2 for 5¢	20.00	3¢ each	24.00
3¢, 5 for 15¢	24.00	4¢, 3 for 11¢, 5 for 18¢	28.80
3 for 10¢	26.50	4¢ each	32.00
4¢	32.00	5 for 24¢	38.40
5¢	40.00	6¢ each	48.00
6¢	48.00	7¢ each	56.00
4 for 25¢	47.00	2 for 15¢	60.00
7¢, 3 for 20¢	53.50	8¢ each	64.00
8¢, 2 for 15¢	60.00	9¢ each	72.00
3 for 25¢	65.00	10¢ each	75.00
9¢	72.00	5 for 54¢	81.00
10¢	75.00	12¢ each	90.00
11¢	85.00	13¢ each	97.50
2 for 25¢	95.00	15¢ each	114.00
14¢	110.00	17¢, 3 for 50¢	130.00
15¢	115.00	18¢ each	138.00
17¢, 3 for 50¢	135.00	19¢, 3 for 55¢	145.00
2 for 35¢	136.50	21¢ each	163.80
3 for 55¢	142.00	22¢ each	170.00
20¢	160.00	24¢ each	186.00
25¢	195.00	30¢ each	234.00
30¢	240.00	36¢ each	280.00
35¢, 3 for \$1.00	269.50	42¢ ea., 3 for \$1.20	325.00
40¢	320.00	48¢ each	384.00
45¢	337.50	54¢ each	432.00
50¢	400.00	60¢ each	480.00
55¢	412.50	66¢ each	528.00
60¢	480.00	72¢ each	576.00
75¢	600.00	90¢ each	720.00

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.[F. R. Doc. 42-11323; Filed, November 3, 1942;  
11:24 a. m.]

## PART 1375—EXPORT PRICES

[Rev. Maximum Export Price Reg.,<sup>1</sup>  
Amendment 3]

## DOMESTIC CHROME ORES AND CONCENTRATES

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Paragraph (b) is added to § 1375.5 and paragraph (c) is added to § 1375.12, as set forth below:

§ 1375.5 *Specific maximum export premiums.* \* \* \*

(b) *Domestic chrome ores and concentrates.* The maximum export premium to be charged on an export sale of domestic chrome ores and concentrates of 38% to 44% to Cr<sub>2</sub>O<sub>3</sub> content shall be \$6.00 per gross ton.

§ 1375.12 *Effective date of amendments.* \* \* \*

(c) Amendment No. 3 (§§ 1375.5 (b), 1375.12 (b)) shall become effective November 9, 1942.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 5059, 7242, 8829.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871).

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11355; Filed, November 3, 1942;  
1:38 p. m.]

## PART 1389—APPAREL

[MPR 177; Amendment 4]

## MEN'S AND BOYS' TAILORED CLOTHING

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.\*

In § 1389.118 (a), the last sentence is deleted. Paragraphs (a) (3) and (b) (3), and the *Exceptions* following paragraphs (a) (3) and (b) (3) in § 1389.103; the *Exceptions* following paragraphs (a) (3) and (b) (2) in § 1389.104; paragraphs (b) (1) and (b) (2) in § 1389.115, and paragraphs (c) (1) and (c) (2) in § 1389.116 are amended; a new paragraph (a) (4) in § 1389.103 and a new § 1389.124 are added, as set forth below:

§ 1389.103 *Maximum prices for sales at retail of ready-made garments.* \* \* \*

(a) *For garments other than outer coats.* \* \* \*

(3) *In those cases in which neither the seller nor any closely competitive seller of the same class dealt in the same or similar garments during March 1942.* A maximum price in line with the level of maximum prices established by this Maximum Price Regulation No. 177. This shall be determined by:

(i) Selecting from the same classification and nearest price range that garment priced under paragraph (a) (1) of this section, of which the seller delivered the largest number of units during March 1942;

(ii) Dividing the maximum price for that garment by the replacement cost of that garment; and

(iii) Multiplying the percentage so obtained by the replacement cost of the garment being priced under this subparagraph (3).

Within ten days after determining a maximum price under this subparagraph (3), the seller shall report it to the appropriate field office of the Office of Price Administration on a form prescribed for that purpose. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(4) *Increases permitted in cases where the seller is in certain geographic areas.* The maximum price established under paragraph (a) (1) for a garment not of tropical weight may be increased by not more than 10%, if:

(i) The maximum price is not higher than the highest price charged by the seller during October 1941 for the same garment, or, if none, for the similar garment most nearly like it; and

(ii) The net replacement cost of the garment is at least 10% higher than the actual net cost of the same or similar garment dealt in during October 1941; and

(iii) The seller is in a geographic area where, due to climatic conditions, the customary volume of March sales of garments not of tropical weight is substantially lower than the average monthly volume of sales of these garments during October, November and December.

A seller who increases his maximum price under this subparagraph (4) must fill out the details required by the form in Appendix D, (§ 1389.124) and file this information within 10 days after the price has been increased with the appropriate regional office of the Office of Price Administration. The increase in price taken under this subparagraph (4) shall be subject to modification or revocation at any time by the Office of Price Administration.

*Except:* That no maximum price determined under paragraph (a) shall exceed the seller's highest maximum price for a garment of the same classification, the same as or similar to a garment which he dealt in during the base period.

(b) *For outer coats.* \* \* \*

(3) *In those cases in which neither the seller nor any closely competitive seller of the same class dealt in the same or similar garments during September, October and November, 1941.* A maximum price in line with the level of maximum prices established by this Maximum Price Regulation No. 177. This shall be determined by:

(i) Selecting from the same classification and nearest price range that garment priced under paragraph (b) (1) of this section of which the seller delivered the largest number of units during September, October and November, 1941;

(ii) Dividing the maximum price of that garment by the replacement cost of that garment; and

(iii) Multiplying the percentage so obtained by the replacement cost of the garment being priced under this subparagraph (3).

Within ten days after determining the maximum price under this subparagraph (3) the seller shall report it to the appropriate field office of the Office of Price Administration on a form prescribed for that purpose. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

*Except:* That no maximum price determined under paragraph (b) shall exceed the sum of the seller's highest maximum price for a garment of the same classification, the same as or similar to a garment which he dealt in during the base period.

<sup>1</sup> 7 F.R. 5182, 5475, 6792, 7100, 7944.

§ 1389.104 *Maximum prices for sales of ready-made garments otherwise than at retail.* \* \* \*

(a) *For garments other than outer coats.* \* \* \*

*Except:* That no maximum price determined under subparagraph (3) shall exceed the seller's highest maximum price for a garment of the same classification determined under subparagraph (1) or (2).

(b) *For outer coats.* \* \* \*

*Except:* That no maximum price determined under subparagraph (2) shall exceed the seller's highest maximum price for a garment of the same classification determined under subparagraph (1).

§ 1389.115 *Records of sellers of ready-made garments otherwise than at retail, and of all manufacturers.* \* \* \*

(b) *Statements to be filed.* (1) On or before November 10, 1942, every person who sells men's and boys' ready-made tailored clothing otherwise than at retail, and every person who retails men's and boys' ready-made tailored clothing of which he is the manufacturer, shall file a statement with the Office of Price Administration, in Washington, D. C., on a form to be prescribed. The statement shall contain such information relating to garments sold during the applicable base period and to garments sold on and after July 11, 1942 and before October 1, 1942, as the form requires.

(2) On or before the 10th day of December, 1942, and of each succeeding month, every person who sells men's and boys' ready-made tailored clothing shall file a supplemental statement. This statement shall be subject to the same requirements as the original statement, but shall relate only to garments sold, delivered or offered for sale prior to the month in which the supplemental report is filed, and not previously reported. When there is nothing new to report, no supplemental statement need be filed.

§ 1389.116 *Records of sellers of "tailored to the trade" and "made to measure" garments.* \* \* \*

(c) *Statements to be filed by manufacturers.* (1) On or before November 10, 1942, every manufacturer of men's and boys' "tailored to the trade" and "made to measure" clothing shall file a statement with the Office of Price Administration, Washington, D. C., on a form to be prescribed. The statement shall contain such information relating to garments sold during the applicable base period and for garments sold on and after July 11, 1942, and before October 1, 1942, as the form requires.

(2) On or before the 10th day of December, 1942, and of each succeeding month, every manufacturer of men's and boys' "tailored to the trade" and "made to measure" clothing shall file a supplemental statement. This statement shall be subject to the same requirements as the original statement but shall relate only to garments sold, delivered or offered for sale prior to the month in which the supplemental report is filed and not previously reported. When there is

nothing new to report, no supplemental statement need be filed.

§ 1389.124 *Appendix D: Form to be filed by sellers reporting a price increase under § 1389.103 (a) (4).*

UNITED STATES OF AMERICA  
OFFICE OF PRICE ADMINISTRATION

Two copies of this form must be filed with the appropriate regional office of the Office of Price Administration. A separate form should be filed for each item.

*Report of Increase in Maximum Retail Price of Ready-Made Garments Other Than Outer-Coats, (Not of Tropical Weight) Under § 1389.103 (a) (4) of Maximum Price Regulation 177, as Amended*

\_\_\_\_\_, a seller at retail, hereby reports a price increase made by him pursuant to § 1389.103 (a) (4) of Maximum Price Regulation No. 177 as amended.

DESCRIPTION OF STORE

1. Name of store or business \_\_\_\_\_
2. Address of store or business \_\_\_\_\_  
(If this report is for more than one store, attach a statement to this form, listing the name and address of each store.)
3. Type of store or business \_\_\_\_\_  
(For example: apparel, dry goods, general department, etc.)
4. Type of affiliation \_\_\_\_\_  
(For example: independent, national, regional, local chain or cooperative chain, etc.)

DESCRIPTION OF ITEM

5. Item offered for sale in fall, 1942. \_\_\_\_\_  
(Identifying information)
- (a) Manufacturer \_\_\_\_\_  
(Name) (Address)
- (b) Range number of garments \_\_\_\_\_
- (c) Type of fabric \_\_\_\_\_
- (d) Weight of fabric \_\_\_\_\_
- (e) Net replacement cost \_\_\_\_\_  
(1) Invoice cost \_\_\_\_\_
- (2) All discounts, including cash discounts, allowances, free deals \_\_\_\_\_
- (3) Net replacement cost (subtract (2) from (1)) \_\_\_\_\_
- (f) Store's present maximum price (before increase) \_\_\_\_\_
- (g) Maximum price as increased by you under § 1389.103 (a) (4) \_\_\_\_\_
6. Same or similar item sold in March, 1942 \_\_\_\_\_  
(Identifying information)
- (a) Manufacturer \_\_\_\_\_  
(Name) (Address)
- (b) Range number of garments \_\_\_\_\_
- (c) Type of fabric \_\_\_\_\_
- (d) Weight of fabric \_\_\_\_\_
- (e) Net cost at which the largest number of units of the item was purchased from November 1941 through March 1942 for sale in March, 1942. \_\_\_\_\_  
(1) Invoice cost \_\_\_\_\_
- (2) All discounts, including cash discounts, allowances, free deals, etc. \_\_\_\_\_
- (3) Net cost (subtract (2) from (1)) \_\_\_\_\_
- (f) Store's highest price charged during March, 1942 \_\_\_\_\_
7. Same or similar item sold in October, 1941 \_\_\_\_\_  
(Identifying information)
- (a) Manufacturer \_\_\_\_\_  
(Name) (Address)
- (b) Range number of garments \_\_\_\_\_
- (c) Type of fabric \_\_\_\_\_
- (d) Weight of fabric \_\_\_\_\_
- (e) Net cost at which the largest number of units of the item was purchased for sale in October, 1941. \_\_\_\_\_  
(1) Invoice cost \_\_\_\_\_

(2) All discounts, including cash discounts, allowances, free deals, etc. \_\_\_\_\_

(3) Net cost (subtract (2) from (1)) \_\_\_\_\_

(f) Store's highest price charged during October, 1941 \_\_\_\_\_

8. If manufacturers in questions 5, 6 and 7 are not the same, explain in detail why you believe that the workmanship of manufacturers in question 5 is equivalent to the workmanship of the manufacturer in questions 6 and 7 and also why you believe that the materials and trimmings used by the different manufacturers are of the same type and quality.

9. Total dollar sales volume of ready-made garments other than outer coats, not tropical weight, during \_\_\_\_\_

1941

October \_\_\_\_\_

November \_\_\_\_\_

December \_\_\_\_\_

1942

March \_\_\_\_\_

10. Total shipments to you of item during 1941 (in dollars) \_\_\_\_\_

11. Total shipments to you of item during January 1, 1942 to April 1, 1942 (in dollars) \_\_\_\_\_

(Signature) \_\_\_\_\_ (Applicant)

By \_\_\_\_\_ (Title)

§ 1389.120a *Effective dates of corrections and amendments.* \* \* \*

(e) Amendment 4 (§§ 1389.103 (a) (3) and (4), and (b) (3), 1389.104 (a) and (b), 1389.115 (b) (1) and (2), 1389.116 (c) (1) and (2), 1389.124, and 1389.120a (e)) shall become effective November 7, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Dec. 42-11343; Filed, November 3, 1942; 12:12 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended, Amendment 37]

LICENSING

Amendment No. 37 to Maximum Price Regulation No. 136, as Amended—Machines and Parts and Machinery Services.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

A new § 1390.29a is added, to read as set forth below:

§ 1390.29a *Licensing.* (a) The provisions of Supplementary Order No. 20,<sup>2</sup>

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 5362, 5565, 5903, 6425, 6632, 6893, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7593, 7692.

<sup>2</sup> 7 F.R. 7490.



licensing, among others, dealers selling second-hand machines or parts are applicable to every dealer selling (other than at retail) second-hand machines or parts, for which maximum prices are established by Maximum Price Regulation No. 136, as amended. When used in this paragraph, the term "dealer" has the definition given to it by Supplementary Order No. 20.

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling at retail machines and parts as defined in Maximum Price Regulation No. 136, as amended. When used in this paragraph, the term "selling at retail" has the definition given to it by § 1499.20 (c) of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at retail on May 18, 1942.

(c) The registration and licensing provisions of §§ 1499.111 and 1499.112 of Maximum Price Regulation No. 165, as amended, are applicable to every person selling machinery services for which maximum prices are established by Maximum Price Regulation No. 136, as amended.

\* \* \*  
§ 1390.31a *Effective dates of amendments.* \* \* \*

(II) Amendment No. 37 (§ 1390.29a) to Maximum Price Regulation No. 136, as amended shall become effective November 9, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of November 1942.

LEON HENDERSON,  
*Administrator.*

[F. R. Doc. 42-11344; Filed, November 3, 1942;  
12:12 p. m.]

PART 1400—TEXTILE FABRICS, COTTON,  
WOOL, SILK, SYNTHETICS AND ADMIX-  
TURES

[MPR 118,<sup>1</sup> Amendment 12, Correction]

COTTON PRODUCTS

The price of "46.625" (cents per pound) established for Class B Wide Sheeting in the table in § 1400.118 (d) (13) (iv) (a) is hereby corrected to read 44.625.

Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

Issued this 3d day of November 1942.

LEON HENDERSON,  
*Administrator.*

[F. R. Doc. 42-11356; Filed, November 3, 1942;  
1:31 p. m.]

PART 1405—FERRO-ALLOYS

[MPR 258]

CHROME ORES

In the judgment of the Price Administrator it is necessary and proper to

<sup>1</sup> 7 F.R. 3038, 3211, 3522, 3578, 3824, 3904, 4405, 5224, 5405, 5587, 5836, 6005, 6484, 7451, 8216.

establish maximum prices for sales of chrome ores by a specific maximum price regulation. The Price Administrator has ascertained and given due consideration to the prices of chrome ores prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industries which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been prepared, issued simultaneously herewith, and has been filed with the Division of the Federal Register.\*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, Maximum Price Regulation No. 258 is hereby issued.

- Sec.
- 1405.101 Prohibition against dealing in chrome ores at prices above the maximum
  - 1405.102 Less than maximum prices.
  - 1405.103 Export sales.
  - 1405.104 Sales or deliveries of chrome ores to the United States or any agency thereof.
  - 1405.105 Sales of chrome ores located without the continental United States.
  - 1405.106 Adjustable pricing.
  - 1405.107 Evasion.
  - 1405.108 Records and reports.
  - 1405.109 Enforcement.
  - 1405.110 Petitions for amendment.
  - 1405.111 Applicability of General Maximum Price Regulation.
  - 1405.112 Definitions.
  - 1405.113 Effective date.
  - 1405.114 Appendix A: Maximum prices for metallurgical-chemical chrome ores.
  - 1405.115 Appendix B: Maximum prices for refractory chrome ores.

AUTHORITY: §§ 1405.101 to 1405.115, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1405.101 *Prohibition against dealing in chrome ores at prices above the maximum.* On and after November 9, 1942, regardless of any contract, agreement, lease or other obligation, no person, except as provided in §§ 1405.104 and 1405.105, shall sell, offer to sell, deliver or transfer chrome ores, and no person shall buy or receive chrome ores, at higher prices than the maximum prices set forth in Appendices A and B hereof, incorporated herein as §§ 1405.114 and 1405.115; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this Maximum Price Regulation No. 258 shall not apply to the sale or delivery of chrome ores if

\*Copies may be obtained from the Office of Price Administration.

prior to November 9, 1942, such ores had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1405.102 *Less than maximum prices.* Lower prices than those set forth in Appendices A and B (§§ 1405.114 and 1405.115) may be charged, demanded, paid or offered.

§ 1405.103 *Export sales.* The maximum price at which any person may export chrome ores shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation,<sup>1</sup> issued by the Office of Price Administration.

§ 1405.104 *Sales or deliveries of chrome ores to the United States or any agency thereof.* Neither the provisions of this Maximum Price Regulation No. 258, other than § 1405.108, nor the provisions of the General Maximum Price Regulation<sup>2</sup> shall apply to the sale or delivery of chrome ores to the United States or any agency thereof.

§ 1405.105 *Sales of chrome ores located without the continental United States.* (a) Neither the provisions of this Maximum Price Regulation No. 258, other than § 1405.108, nor the provisions of the General Maximum Price Regulation shall apply to the sale or delivery of chrome ores which are located at a point without the continental United States both at the time of the contract of sale and the vesting of title to the ores in the buyer.

(b) The Administrator will entertain no petition or application for amendment, adjustment, exception or other relief from the maximum prices established for any product of chrome ore, to the extent that such petition or application is based, directly or indirectly, on delivered costs of chrome ores, purchased by the petitioner or applicant pursuant to paragraph (a) of this § 1405.105, which are in excess of what the delivered costs would have been if the petitioner or applicant had purchased ores of equivalent grade for which maximum prices are established by the Maximum Price Regulation No. 258.

§ 1405.106 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In any appropriate situation where a petition for an adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1405.107 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 258 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation,

<sup>1</sup> 7 F.R. 6059, 7242.

<sup>2</sup> 7 F.R. 3153, 3330, 3666, 3990, 3991, 4330, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431.



agreement, sale, delivery, purchase or receipt of, or relating to, chrome ores, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1405.108 *Records and reports.* (a) On and after November 9, 1942, every person making a purchase or sale of chrome ore shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each such purchase or sale showing (1) the date thereof, (2) the names and addresses of the buyer and the seller, (3) the quantity, source and analysis, including chromic oxide, chromium-iron ratio, silica, alumina and fines, of each kind or grade purchased or sold, (4) the purpose for which such ore was purchased, (5) the date of delivery of each shipment, (6) the price paid or received, and (7) in case of a purchase of ore pursuant to § 1405.105, the delivered cost of such ore.

(b) Persons affected by this Maximum Price Regulation No. 258 shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1405.109 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 258 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 258 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1405.110 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 258 or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1405.111 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 258 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 258. Neither shall the General Maximum Price Regulation apply to those sales or deliveries expressly excluded therefrom by the provisions of this Maximum Price Regulation No. 258.

§ 1405.112 *Definitions.* (a) When used in this Maximum Price Regulation No. 258, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or

legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of the political subdivisions, or any agency of any of the foregoing.

(2) "Continental United States" means the 48 States of the United States and the District of Columbia.

(3) "Chrome ore" means any metallurgical-chemical or refractory chrome ore as defined below.

(4) "Metallurgical-chemical chrome ore" means any mineral substance in a crude state used chiefly as a source of chromium for alloying purposes or for the production of ferro-alloys, chromium metal or chromium chemicals. It includes such ore even though it has been concentrated or beneficiated. It shall not include any ore which contains less than 25% chromic oxide by weight.

(5) "Refractory chrome ore" means any mineral substance in a crude state used chiefly for the production of refractory bricks or other refractory materials. It includes such ore even though it has been crushed, ground or packed. It shall not include any ore which contains less than 25% chromic oxide by weight.

(6) "Montana ores and concentrates" mean any mineral substance mined in the State of Montana, whether or not concentrated or beneficiated, which satisfies the definition set forth above for a metallurgical-chemical chrome ore.

(7) "Chromium-iron ratio" means the ratio by weight of the metallic chromium content to the metallic iron content of chrome ore.

(8) "Buyer's receiving point" means the place at which the buyer will convert, manufacture or process a particular lot of ore, or at which he will stockpile it for conversion, processing or resale at some future time.

(9) "Buyer's most favorable basing point" means that one of the basing points, listed for the particular type of ore, from which a delivery to the buyer's receiving point would yield the buyer the lowest delivered cost. The delivered cost shall be computed by adding to the base price the rail freight for delivering the particular lot of ore from the basing point to the buyer's receiving point.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Price Regulation No. 258.

§ 1405.113 *Effective date.* This Maximum Price Regulation No. 258 (§§ 1405.101 to 1405.115, inclusive) shall become effective November 9, 1942.

§ 1405.114 *Appendix A: Maximum prices for metallurgical-chemical chrome ores.* (a) The maximum prices for metallurgical-chemical chrome ores shall be determined by using the following base price and base analysis with the premiums and penalties herein prescribed:

*Base Analysis on Dry Basis.*

Chromic oxide, 48%;

Chromium-iron ratio, 3.00:1.

*Maximum Base Price Per Gross Ton.*

\$43.50 f. o. b. railroad cars New York, Philadelphia, Baltimore, Charleston, S. C., Portland, Ore., or Tacoma, Wash.:

*Provided, However,* That the maximum base price for Montana ores and concentrates shall be \$43.50 per gross ton f. o. b. railroad cars Columbus, Montana with an allowance to the buyer for actual freight not in excess of \$7.00 per gross ton.

*Premiums.*

*Chromic-oxide content above 48%*  
\$.90 for each 1%.

*Chromium-iron ratio above 3.00:1*  
\$.125 for each .10:1 up to but not exceeding 3.50:1.

*Penalties.*

*Chromic oxide content below 48%*  
\$.90 for each 1% down to but not below 25%.

*Chromium-iron ratio below 3.00:1*  
\$.125 for each .10:1 down to but not below 2.00:1.

The above premiums and penalties shall be applied pro rata to variations of a fraction of 1% chromic oxide and .10:1 chromium-iron ratio.

The basing point to be used in the determination of the maximum price for metallurgical-chemical chrome ore under the provisions of this paragraph (a) shall be the buyer's most favorable basing point except in the case of Montana ores and concentrates for which the basing point shall be Columbus, Montana.

(b) *Quantity differential.* The maximum prices set forth in paragraph (a), above, for metallurgical-chemical chrome ores may be increased by \$.350 per gross ton if the seller, at the request of and for the convenience of the buyer, sells and delivers such ores in lots of one carload or less.

(c) *Analysis.* In any case where the buyer contracts for or requests settlement for a particular lot of metallurgical-chemical chrome ore on the basis of an independent analysis, the buyer may pay, in addition to the maximum price as determined under paragraphs (a) and (b), above, an amount equal to but not exceeding one-half the actual expenses of such analysis incurred pursuant to such contract or request: *Provided, That,* if the buyer pays more than one-half of the cost of such independent analysis, the maximum price shall be adjusted downward by an amount equal to the amount by which such payment exceeds one-half the actual expenses of such analysis.

(d) *Credit.* The maximum prices set forth above shall not be increased by any charges for the extension of credit.

§ 1405.115 *Appendix B: Maximum prices for refractory chrome ores—(a) Lump refractory chrome ore in bulk.*

(1) The maximum price for lump refractory chrome ore in bulk shall be \$31.00 per gross ton, dry basis, f. o. b. railroad cars Baltimore, Philadelphia, Chester, Pa., or San Francisco: *Provided, That,* the basing point to be used in the determination of the maximum price of such ore shall be the buyer's most favorable basing point.

(2) *Quantity differential.* The maximum price set forth in subparagraph (1), above, for lump refractory chrome ore in bulk may be increased by \$.350 per gross ton, if the seller, at the request

of and for the convenience of the buyer, sells or delivers such ore in lots of less than 2,000 gross tons.

(b) *Lump refractory chrome ore, packed.* The maximum price for lump refractory chrome ore shall be \$35.55 per net ton when packed in single cloth sacks, \$38.30 per net ton when packed in double cloth sacks, and \$40.80 per net ton when packed in barrels. The above prices shall be f. o. b. railroad cars Baltimore, Chester, Pa. or Plymouth Meeting, Pa.: *Provided*, That any seller of such ore who regularly sold f. o. b. one of these basing points during March 1942, shall continue to use such basing point and that other sellers may use any one of these basing points.

(c) *Ground refractory chrome ore.* (1) The maximum price for ground refractory chrome ore, 24 mesh or coarser, shall be \$36.50 per net ton, f. o. b. railroad cars Baltimore, and Chester, Pa., or Plymouth Meeting, Pa.: *Provided*, That any seller of such ore who regularly sold f. o. b. one of these basing points during March 1942, shall continue to use such basing point and that other sellers may use any one of these basing points.

(2) *Packing differentials.* The maximum price set forth in subparagraph (1), above, for ground refractory chrome ore may be increased by \$3.50 per net ton when such ore is packed in single cloth or paper lined cloth sacks, \$7.00 per net ton when packed in double cloth sacks, and \$10.00 per net ton when packed in barrels.

(d) *Credit.* The maximum prices set forth above shall not be increased by any charges for the extension of credit.

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11357; Filed, November 3, 1942;  
1:37 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[GMPR, Amendment 32]

USED SUPPLIES AND EQUIPMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Subparagraph (2) of § 1499.9 (b) is amended to read as set forth below:

§ 1499.9 *Commodities excepted from this General Maximum Price Regulation.* \* \* \*

(b) This General Maximum Price Regulation shall not apply to the following sales or deliveries: \* \* \*

(2) By any person, of his used supplies or equipment not acquired or produced by him for the purpose of sale.

\*Copies may be obtained from the Office of Price Administration.

17 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5665, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431.

§ 1499.23a *Effective dates of amendments.* \* \* \*

(gg) Amendment No. 32 (§ 1499.9 (b) (2)) to General Maximum Price Regulation shall become effective November 9, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F.R. 7871.)

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11358; Filed, November 3, 1942;  
1:38 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Order 121 Under § 1499.3 (b) of GMPR]

PENN TOBACCO COMPANY

The Penn Tobacco Company of Wilkes-Barre, Pennsylvania, has made application under § 1499.3 (b) of the General Maximum Price Regulation for determination of a maximum price for a "Pipe Smokers' Selector." Due consideration has been given to the application and an opinion in support of this order issued simultaneously herewith has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with § 1499.3 (b) of the General Maximum Price Regulation *It is hereby ordered, That:*

§ 1499.985 *Authorization of maximum prices for a Pipe Smokers' Selector for the Penn Tobacco Company.*—(a) *Manufacturer.* On and after November 4, 1942 the Penn Tobacco Company may sell and deliver to any person and any purchaser may buy and receive from the Penn Tobacco Company a "Pipe Smokers' Selector" consisting of 1½ ounces White Manor Tobacco, 1½ ounces Willoughby Taylor Tobacco, 2 ounces Kentucky Club Tobacco, 1¾ ounces Irish Castle Tobacco and one Taylor Arms Pipe all packed in a cardboard container, cellophane cover and cardboard sleeve, herein spoken of as a "Pipe Smokers' Selector", at a price no higher than \$12.00 per dozen Pipe Smokers' Selector less 10% trade discount and 2% cash discount for payment within ten days of delivery.

(b) *Wholesaler or jobber.* Any wholesaler or jobber may sell and deliver to any person and any person may buy and receive from such wholesaler or jobber Pipe Smokers' Selectors at a price no higher than \$12.00 per dozen Pipe Smokers' Selectors less the customary discount or discounts given by such wholesaler or jobber on other tobaccos to a purchaser of the same class.

(c) *Retailer.* Any retailer may sell and deliver and any person may buy and receive the Pipe Smokers' Selector at a price no higher than \$1.25 per package.

(d) The Penn Tobacco Company shall notify in writing all jobbers and wholesalers who purchase such Pipe Smokers' Selectors of the maximum price established by paragraphs (a), (b) and (c) of this order for sales at wholesale and

retail on or before the first delivery of such product after the effective date hereof, and of the notification to retailers as provided in paragraph (e) herein.

(e) All suppliers of this Pipe Smokers' Selector to sellers at retail shall notify such sellers in writing on or before the first delivery after the effective date hereof that the maximum price of such Pipe Smokers' Selector at retail is \$1.25 per package.

(f) This Order No. 121 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 121 (§ 1499.985) shall become effective November 4, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F.R. 7871)

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11345; Filed, November 3, 1942;  
12:12 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Order 122 Under § 1499.3 (b) of GMPR]

PIONEER COOPERAGE COMPANY

Pioneer Cooperage Company of St. Louis, Missouri, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith, and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *It is ordered;*

§ 1499.986 *Approval of maximum prices for wooden water breakers sold by the Pioneer Cooperage Company.* (a) On and after August 1, 1942, Pioneer Cooperage Company of St. Louis, Missouri, may sell and deliver, offer, agree and solicit and attempt to sell and deliver wooden water breakers manufactured by it and any person may buy from said Pioneer Cooperage Company such commodity produced by it at a price no higher than that established in accordance with the formula hereinafter set forth:

Compute material cost on basis of present material cost for standard keg of similar gallonage and other nearest comparability taking into account the difference in stave value established from variation in length and bilge and also the difference in heading value and value of hoops and other fittings. Compute labor cost and factory burden on the basis of March 31, 1942, labor cost and factory burden of standard keg in same number and type of staves taking additional care, efficiency and finish into account. To adjusted unit production cost thus established, add profit computed by multiplying said adjusted unit production cost by normal percentage of

profit for year 1941. Compute such normal percentage of profit by dividing 1941 gross profit before sales and administrative expenses by total production cost of barrels sold during 1941. To price thus determined add delivery charges to arrive at sales price.

(b) Within 10 days after determining a maximum price under this order, Pioneer Cooperage Company shall report such price to the Lumber Branch of the Office of Price Administration in Washington, D. C. Such report shall also set forth (1) a detailed description of the commodity for which the price is determined, (2) a statement that the maximum price reported was determined in accordance with the formula set forth in paragraph (a) of this order and a detailed explanation of the application of such formula in determining the maximum price for such commodity. The maximum price so reported shall be subject to adjustment at any time by the Price Administrator.

(c) This Order No. 122 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 122 (§ 1499.986) shall become effective November 4, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11328; Filed, November 3, 1942; 11:23 a. m.]

**PART 1499—COMMODITIES AND SERVICES**  
[Order 123 Under § 1499.3 (b) of GMPR]

**THE UNITED STATES GYPSUM COMPANY**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered, That:*

§ 1499.987 *Approval of maximum prices of the "Perf-a-Tape" tool sold by the United States Gypsum Company.*

(a) The United States Gypsum Company, Chicago, Illinois may sell, deliver and offer for sale, and all persons are authorized to buy and receive in the course of trade from the United States Gypsum Company, its "Perf-a-Tape" tool for the application of tape and cementitious material in one operation to recessed edged gypsum board, at a price per tool not higher than \$10.81, delivered.

(b) The granting of the authorization to the United States Gypsum Company in paragraph (a) is subject to the condition that it shall notify all persons purchasing its "Perf-a-Tape" tool from it that the Office of Price Administration has by this order authorized its maximum price as provided in paragraph (a).

(c) This Order No. 123 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 123 (§ 1499.987) shall become effective November 4, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11346; Filed, November 3, 1942; 12:13 p. m.]

**PART 1364—FRESH, CURED AND CANNED MEAT AND FISH**  
[MPR 148]

**DRESSED HOGS AND WHOLESALE PORK CUTS**

**Correction**

In § 1364.35 appearing on page 8613 of the issue for Saturday, October 24, 1942, the figures opposite "7. Boston butts" in the columns headed "Weight (pounds)" should be separated by dashes instead of points.

**TITLE 46—SHIPPING**

**Chapter I—Bureau of Customs**

[T. D. 50750]

**Subchapter A—Documentation, Entrance and Clearance of Vessels, Etc.**

**TRANSPORTATION OF PASSENGERS OR MERCHANDISE; TOWING OF CERTAIN VESSELS**

**WAIVER OF COASTWISE LAWS**

OCTOBER 30, 1942.

Section 8 of the act of June 19, 1886, as amended, section 27 of the Merchant Marine Act, 1920, as amended, R.S. 4132, as amended, and R.S. 4370, as amended, waived to permit certain vessels owned or chartered by the War Shipping Administration to transport passengers or merchandise, or both, in the coastwise trade, and to permit those and other vessels so owned or chartered to tow any vessel coastwise.

Upon the written recommendation of the Administrator of the War Shipping Administration and pursuant to the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (Public Law 507, 77th Congress), I hereby waive compliance with the provisions of section 8 of the act of June 19, 1886, as amended, section 27 of the Merchant Marine Act, 1920, as amended, R.S. 4132, as amended, and R.S. 4370, as amended (46 U.S.C. 11, 239, 316, 883), to the extent necessary to permit:

1. The transportation of passengers or cargo, or both, in the coastwise trade (a) by any vessel of the United States which is under limited or restricted registry while such vessel is owned by or under any form of charter to the War Shipping Administration and has on board a "Certificate of Ownership and Operation" issued by the War Shipping Administration certifying that it is owned or chartered; or (b) by any foreign vessel while it is under any form of charter to the War Shipping Administration and has on board a "Certificate of Ownership and Operation" issued by the War Shipping Administration, certifying that it is so chartered; or

2. The towing of any vessel between any points or places embraced within

the coastwise laws or between points within the harbor of any such place by any vessel of any of the classes mentioned in paragraph 1 of this order, or in T.D. 50592 or T.D. 50653.

I deem that such action is necessary in the conduct of the war.

[SEAL] HERBERT E. GASTON,  
Acting Secretary of the Treasury.

[F. R. Doc. 42-11364; Filed, November 3, 1942; 12:03 p. m.]

**Chapter IV—War Shipping Administration**

**PART 310—MERCHANT MARINE TRAINING**

[General Order 24, Supp. 1]

**TRANSPORTATION OF CADETS**

Amending § 310.59 of General Order No. 24—Emergency Regulations Governing the Appointment and Training of Cadets in the United States Merchant Marine Cadet Corps, by striking out all of § 310.59 and inserting in lieu thereof the following:

§ 310.59 *Transportation.* (a) The War Shipping Administration shall reimburse cadets at the rate of five cents per mile, based on official mileage tables of the War Department, for their traveling expenses when traveling on orders of the Supervisor or District Instructors:

(1) From home town to port wherein the Basic School or the Academy is located, after passing Merchant Marine Reserve physical examination, reporting to the Commanding Officer of a Basic School or to the Superintendent of the Academy, execution of oath of office as cadet in the U. S. Merchant Marine Corps, and satisfactory completion of preliminary training and basic Naval Science courses. Payment shall be made by the disbursing officer attached to the Academy or the Basic School approximately ten weeks after date of reporting.

(b) The War Shipping Administration will issue government transportation requests and meal tickets to cadets who have completed preliminary training for transportation:

(1) From either New York, New Orleans or San Francisco to the port where vessel to which the cadet is assigned is located or to a place of special shore training. Transportation requests and meal tickets will be issued by the District Instructor.

(2) From either New York, New Orleans or San Francisco to port wherein Academy or Basic School is located, or to a place of special shore training. Transportation and meal tickets will be issued by the District Instructor.

(3) Between ports of Academy or Basic Schools and between locations of places of special shore training. Transportation requests and meal tickets will be issued by the Superintendent or Commanding Officer.

(4) From either New York, San Francisco or New Orleans to home, and from home to port where vessel to which assigned is located, or where special shore training is conducted, after having been ordered home by the District In-

structor for the specific purpose of awaiting assignment to a vessel, the Academy, a Basic School, or place of special shore training. Transportation requests and meal tickets will be issued by the District Instructor.

(c) Cadets will not be reimbursed by the War Shipping Administration or issued transportation requests or meal tickets for travel to and from the Academy or Basic Schools or locations of special training ashore or ships while they are on leave; unless ordered home by the District Instructor or the Superintendent of the Academy for the specific purpose of awaiting assignment to ships, the Academy, Basic Schools, or places of special training ashore.

(d) Cadets will not receive a per diem allowance except as provided in § 310.63. (E.O. 9198, 7 F.R. 5383)

[SEAL]

E. S. LAND,  
Administrator.

NOVEMBER 3, 1942.

[F. R. Doc. 42-11396; Filed, November 4, 1942;  
11:44 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter II—Office of Defense Transportation

[General Order ODT 21, Amendment 1]

#### PART 501—CONSERVATION OF MOTOR EQUIPMENT

#### SUBPART M—CERTIFICATES OF WAR NECESSITY FOR AND CONTROL OF COMMERCIAL MOTOR VEHICLES

##### INSPECTION OF TIRES

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, and by Executive Order No. 9156, dated May 2, 1942, Title 49, Chapter II, Part 501, Subpart M, (General Order ODT 21<sup>1</sup>), § 501.97, of the Code of Federal Regulations, is hereby amended to read as follows:

§ 501.97 *Inspection of tires.* On and after January 15, 1943, no person shall operate any commercial motor vehicle, unless within the sixty (60) days immediately preceding such operation, or, in the event such motor vehicle has been operated more than five thousand (5,000) miles during such period, unless within the five thousand (5,000) miles last operated by such vehicle, all tires mounted upon the wheels thereof or carried for use on such vehicle have been inspected by an inspection agency designated by the Office of Price Administration, and unless such inspection agency has certified that such person has made all reasonable and necessary adjustments, repairs, retreading, recapping, replacement of parts or tires, and realignment of wheels, found by such inspection agency to be necessary to conserve and providently utilize such tires, unless such operator is unable, under then existing rationing regulations, to make such repairs, retreading, recapping, or replacement of parts or tires.

This amendment shall become effective on November 15, 1942. (E.O. 8989 and 9156; 6 F.R. 6725; 7 F.R. 3349)

Issued at Washington, D. C., this 31st day of October 1942.

JOSEPH B. EASTMAN,  
Director of Defense Transportation.

[F. R. Doc. 42-11367; Filed, November 3, 1942;  
4:19 p. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### General Land Office.

#### REDUCING AND REVOKING CERTAIN STOCK DRIVEWAY WITHDRAWALS IN NEVADA

The departmental orders of July 15, 1918, February 10, 14, 19, and 25, March 5 and 21, June 9, November 26, and December 19, 1919, August 29, 1924, August 17, 1925, June 15, 1927, October 19, 1929, October 7, 1932, and August 13, 1934, establishing and modifying stock driveway withdrawals under section 10 of the act of December 29, 1916, as amended by the act of January 29, 1929, 39 Stat. 865, 45 Stat. 1144, 43 U. S. C. 300, are hereby revoked so far as they affect the following-described lands, which are within Nevada Grazing District No. 4:

#### MOUNT DIABLO MERIDIAN

- T. 10 N., R. 53 E., secs. 13, 23, 24, 26, and 35.
- T. 10 N., R. 54 E., secs. 6, 7, and 18.
- T. 11 N., R. 54 E., secs. 5, 8, 17, 19, 20, 30, and 31.
- T. 12 N., R. 54 E., secs. 4, 9, 16, 20, 21, 29, and 32.
- T. 13 N., R. 54 E., secs. 3, 10, 15, 21, 22, 28, and 33.
- T. 14 N., R. 54 E., secs. 11, 12, 14, 22, 23, 27, and 34.
- T. 14 N., R. 55 E., secs. 6 and 7.
- T. 15 N., R. 55 E.,  
sec. 3;  
sec. 4, E½;  
secs. 9, 10, 16, 17, 19, 20, 30, and 31.
- T. 16 N., R. 55 E.,  
sec. 1, SE¼;  
secs. 12 and 13;  
sec. 14, SE¼;  
sec. 22, NE¼ and S½;  
sec. 23;  
sec. 24, N½ and SW¼;  
sec. 26, NW¼;  
sec. 27;  
sec. 28, SE¼;  
sec. 33, E½;  
sec. 34.
- T. 23 N., R. 55 E.,  
secs. 2, 3, 9, and 10;  
sec. 11, W½;  
sec. 14, W½;  
secs. 15 to 22, inclusive.
- T. 24 N., R. 55 E.,  
secs. 1, 12, 13, 14, and 23;  
sec. 24, NW¼;  
secs. 26, 34, and 35;  
sec. 36, SW¼.
- T. 25 N., R. 55 E.,  
sec. 1;  
sec. 2, E½;  
secs. 12, 13, 24, 25, and 36.
- T. 26 N., R. 55 E.,  
sec. 23, E½;  
sec. 24, W½;  
sec. 25, W½;  
sec. 26, E½;  
sec. 35, E½;  
sec. 36, W½.

- T. 10 N., R. 56 E., secs. 2, 11, 18, 14, 23, 20, and 35.
- T. 11 N., R. 56 E.,  
sec. 1, E½ and E½W½;  
sec. 11, SE¼;  
sec. 12, NE¼ and S½;  
sec. 13, N½ and SW¼;  
secs. 14, 23, 26, and 35.
- T. 12 N., R. 56 E.,  
secs. 2, 11, 14, and 23;  
sec. 25, SW¼;  
sec. 26;  
sec. 35, N½ and SE¼;  
sec. 36.
- T. 13 N., R. 56 E., secs. 2, 11, 14, 23, 20, and 35.
- T. 14 N., R. 56 E.,  
secs. 3 and 10;  
sec. 14, SW¼;  
sec. 15;  
sec. 22, N½ and SE¼;  
sec. 23, W½;  
sec. 26, NW¼ and S½;  
sec. 27, E½;  
sec. 34, NE¼; .  
sec. 35.
- T. 15 N., R. 56 E., secs. 3, 10, 15, 22, 27, and 34.
- T. 16 N., R. 56 E.,  
sec. 2;  
sec. 5, W½;  
sec. 6, NE¼ and S½;  
sec. 7;  
sec. 8, NW¼;  
secs. 11, 14, 15, 22, 27, and 34.
- T. 17 N., R. 56 E.,  
sec. 2;  
sec. 10, E½;  
sec. 11;  
sec. 14, NW¼ and S½;  
sec. 15, E½;  
sec. 21, S½;  
secs. 22, 23, 26, 27, 28, and 29;  
sec. 30, SE¼;  
sec. 31, E½;  
sec. 32, N½ and SW¼;  
sec. 35.
- T. 18 N., R. 56 E., secs. 2, 11, 14, 23, 26, and 35.
- T. 19 N., R. 56 E., secs. 2, 11, 14, 23, 26, and 35.
- T. 20 N., R. 56 E.,  
secs. 4, 9, 15, 16, and 22;  
sec. 26, NW¼ and S½;  
sec. 27;  
sec. 34, NE¼;  
sec. 35.
- T. 21 N., R. 56 E.,  
sec. 5, NW¼NW¼, S½NW¼, SW¼, and W½SE¼;  
sec. 6, E½;  
sec. 7, E½E½;  
sec. 8, W½E½ and W½;  
secs. 16 and 17;  
sec. 18, E½E½;  
secs. 21, 28, and 33.
- T. 22 N., R. 56 E.,  
sec. 5, W½W½;  
sec. 6, E½ and E½W½;  
sec. 7, E½ and E½NW¼;  
sec. 8, W½;  
sec. 17, W½;  
sec. 18, E½;  
sec. 19, E½;  
sec. 20, W½;  
sec. 29, W½;  
sec. 30, E½;  
sec. 31, E½;  
sec. 32, W½.
- T. 23 N., R. 56 E.,  
secs. 5, 8, 17, 20, and 29;  
sec. 31, E½ and E½W½;  
sec. 32.
- T. 24 N., R. 56 E., secs. 5, 8, 17, 20, 29, and 32.
- T. 25 N., R. 56 E.,  
sec. 6, N½, SW¼, N½SE¼, and SW¼SE¼;  
secs. 7, 8, 17, 20, 29, and 32.
- T. 26 N., R. 56 E., secs. 19, 30, and 31.
- T. 10 N., R. 57 E., secs. 13 to 18, inclusive.

- T. 1 N., R. 58 E.,  
secs. 4, 9, 16, 21, and 22;  
sec. 26, W $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
secs. 27, 34, and 35.
- T. 2 N., R. 58 E.,  
sec. 5;  
sec. 7, S $\frac{1}{2}$ ;  
secs. 8, 17, 18, 20, 21, 28, and 33.
- T. 3 N., R. 58 E., secs. 11, 12, 14, 23, 25, 26, 27,  
28, 29, 32, and 36.
- T. 10 N., R. 58 E., secs. 13 to 18, inclusive.
- T. 2 N., R. 59 E.,  
sec. 3, SW $\frac{1}{4}$ ;  
secs. 4, 5, 6, 8, 9, 10, and 11;  
sec. 13, SW $\frac{1}{4}$ ;  
sec. 14;  
sec. 23, N $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
sec. 24.
- T. 3 N., R. 59 E., secs. 6, 7, 30, 31, and 32.
- T. 4 N., R. 59 E., secs. 5, 8, 17, 19, 20, 30, and 31.
- T. 5 N., R. 59 E.,  
sec. 1, W $\frac{1}{2}$ ;  
sec. 2, E $\frac{1}{2}$ ;  
secs. 10 and 11;  
sec. 12, W $\frac{1}{2}$ ;  
secs. 15, 16, 20, 21, 29, and 32.
- T. 6 N., R. 59 E.,  
sec. 25, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 36.
- T. 10 N., R. 59 E.,  
sec. 14, NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
secs. 15 to 18, inclusive;  
sec. 22, NE $\frac{1}{4}$ ;  
secs. 23 and 24.
- T. 2 N., R. 60 E., secs. 19 to 24, inclusive.
- T. 6 N., R. 60 E.,  
sec. 1;  
sec. 11, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
secs. 12 and 14;  
sec. 21, S $\frac{1}{2}$ ;  
sec. 22, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 23, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
sec. 26, NW $\frac{1}{4}$ ;  
sec. 27, N $\frac{1}{2}$ ;  
sec. 28, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
secs. 29 and 30;  
sec. 31, N $\frac{1}{2}$ .
- T. 7 N., R. 60 E.,  
sec. 24, SE $\frac{1}{4}$ ;  
secs. 25 and 36.
- T. 10 N., R. 60 E.,  
secs. 19, 20, and 21;  
sec. 22, NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 23, S $\frac{1}{2}$ ;  
sec. 25, NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 26;  
sec. 27, N $\frac{1}{2}$ ;  
sec. 28, NE $\frac{1}{4}$ ;  
sec. 35, NE $\frac{1}{4}$ ;  
sec. 36.
- T. 2 N., R. 61 E.,  
sec. 13;  
secs. 19 to 24, inclusive.
- T. 7 N., R. 61 E.,  
secs. 6, 7, 18, and 19;  
sec. 30, N $\frac{1}{2}$  and SW $\frac{1}{4}$ .
- T. 8 N., R. 61 E., secs. 6, 7, 18, 19, 30, and 31.
- T. 9 N., R. 61 E.,  
sec. 6, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
secs. 7, 18, 19, 30, and 31.
- T. 10 N., R. 61 E., secs. 5, 8, 17, 20, 29, 31, and  
32.
- T. 11 N., R. 61 E.,  
secs. 4, 9, and 16;  
sec. 17, SE $\frac{1}{4}$ ;  
sec. 20;  
sec. 21, NW $\frac{1}{4}$ ;  
secs. 29 and 32.
- T. 12 N., R. 61 E.,  
sec. 3;  
sec. 9, SE $\frac{1}{4}$ ;  
sec. 10;  
sec. 15, W $\frac{1}{2}$ ;  
sec. 16, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
secs. 21, 28, and 33.
- T. 13 N., R. 61 E.,  
sec. 24, S $\frac{1}{2}$ ;  
sec. 25, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
sec. 26;  
sec. 27, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 34.
- T. 15 N., R. 61 E., secs. 2, 11, 14, 23, and 24.
- T. 16 N., R. 61 E.,  
sec. 2, NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 3, N $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
sec. 11, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
sec. 12, SW $\frac{1}{4}$ ;  
sec. 13, W $\frac{1}{2}$ ;  
sec. 14, E $\frac{1}{2}$ ;  
sec. 23, E $\frac{1}{2}$ ;  
sec. 24, W $\frac{1}{2}$ ;  
sec. 25, W $\frac{1}{2}$ ;  
sec. 26, E $\frac{1}{2}$ ;  
sec. 34, E $\frac{1}{2}$ ;  
sec. 35;  
sec. 36, W $\frac{1}{2}$ .
- T. 17 N., R. 61 E., secs. 3, 10, 15, 22, 27, 31, 32,  
33, and 34.
- T. 18 N., R. 61 E., secs. 3, 10, 15, 22, 27, and 34.
- T. 19 N., R. 61 E., secs. 3, 10, 15, 22, 27, and 34.
- T. 20 N., R. 61 E., secs. 3, 10, 15, 22, 27, and 34.
- T. 21 N., R. 61 E., secs. 5, 8, 17, 20, 29, and 32.
- T. 22 N., R. 61 E., secs. 5, 8, 17, 20, 29, and 32.
- T. 23 N., R. 61 E.,  
sec. 3, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
sec. 4, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 8, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 9, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
secs. 17, 20, 29, and 32.
- T. 24 N., R. 61 E., secs. 3, 10, 15, 22, 27, and 34.
- T. 25 N., R. 61 E., secs. 3, 10, 15, 22, 27, and 34.
- T. 26 N., R. 61 E., secs. 23, 26, and 35.
- T. 2 N., R. 62 E., secs. 13 to 24, inclusive.
- T. 13 N., R. 62 E.,  
secs. 6, 7, 18, and 19;  
sec. 30, N $\frac{1}{2}$ .
- T. 14 N., R. 62 E., secs. 6, 7, 18, 19, 30, and 31.
- T. 15 N., R. 62 E., secs. 10, 30, and 31.
- T. 2 N., R. 63 E.,  
sec. 7, S $\frac{1}{2}$ ;  
sec. 8, S $\frac{1}{2}$ ;  
sec. 9, S $\frac{1}{2}$ ;  
sec. 10, S $\frac{1}{2}$ ;  
sec. 11, S $\frac{1}{2}$ ;  
sec. 12, S $\frac{1}{2}$ ;  
sec. 13, N $\frac{1}{2}$ ;  
sec. 14, N $\frac{1}{2}$ ;  
sec. 15, N $\frac{1}{2}$ ;  
sec. 16, N $\frac{1}{2}$ ;  
sec. 17, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
sec. 18;  
sec. 19, N $\frac{1}{2}$  and SW $\frac{1}{4}$ .
- T. 6 N., R. 63 E., secs. 35 and 36.
- T. 15 N., R. 63 E.,  
sec. 1;  
sec. 12, E $\frac{1}{2}$ ;  
sec. 13, E $\frac{1}{2}$ .
- T. 16 N., R. 63 E.,  
sec. 3, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 4, lots 1, 2, and 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
and S $\frac{1}{2}$ ;  
sec. 8, SE $\frac{1}{4}$ ;  
sec. 9, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
sec. 16, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
sec. 17, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 19, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 20, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ -  
SE $\frac{1}{4}$ ;  
sec. 25, SW $\frac{1}{4}$ ;  
sec. 26, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
sec. 27, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
sec. 28, S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
and SE $\frac{1}{4}$ ;  
sec. 29, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
sec. 30, N $\frac{1}{2}$ ;  
sec. 33, NE $\frac{1}{4}$ ;  
sec. 34, N $\frac{1}{2}$ ;  
sec. 35, N $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
sec. 36, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ .
- T. 17 N., R. 63 E.,  
sec. 2;  
sec. 10, SE $\frac{1}{4}$ ;  
sec. 11;  
sec. 14, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
sec. 15;  
sec. 21, E $\frac{1}{2}$ ;  
sec. 22;  
sec. 27, W $\frac{1}{2}$ ;  
sec. 28, E $\frac{1}{2}$ ;  
sec. 33, E $\frac{1}{2}$ ;  
sec. 34, W $\frac{1}{2}$ .
- T. 18 N., R. 63 E.,  
sec. 1, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
sec. 11, NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 12, N $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
sec. 13, NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
secs. 14, 23, 26, and 35.
- T. 22 N., R. 63 E.,  
sec. 1;  
sec. 2, NE $\frac{1}{4}$ ;  
T. 23 N., R. 63 E.,  
sec. 4, NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 5, E $\frac{1}{2}$  and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
sec. 9;  
sec. 15, SW $\frac{1}{4}$ ;  
sec. 16;  
sec. 21, E $\frac{1}{2}$ ;  
sec. 22, W $\frac{1}{2}$ ;  
sec. 28, SW $\frac{1}{4}$ ;  
sec. 27;  
sec. 28, NE $\frac{1}{4}$ ;  
sec. 34, NE $\frac{1}{4}$ ;  
sec. 35;  
sec. 36, SW $\frac{1}{4}$ .
- T. 24 N., R. 63 E.,  
sec. 2, W $\frac{1}{2}$ ;  
sec. 3, E $\frac{1}{2}$ ;  
sec. 10, E $\frac{1}{2}$ ;  
sec. 11, W $\frac{1}{2}$ ;  
sec. 14, NW $\frac{1}{4}$ ;  
sec. 15;  
sec. 16, SE $\frac{1}{4}$ ;  
sec. 21;  
sec. 22, NW $\frac{1}{4}$ ;  
sec. 23, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
sec. 23, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 32, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and  
SE $\frac{1}{4}$ ;  
sec. 33, W $\frac{1}{2}$ W $\frac{1}{2}$ .
- T. 25 N., R. 63 E.,  
sec. 12, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 13;  
sec. 14, SE $\frac{1}{4}$ ;  
sec. 22, SE $\frac{1}{4}$ ;  
sec. 23;  
sec. 24, NW $\frac{1}{4}$ ;  
sec. 26, W $\frac{1}{2}$ ;  
sec. 27, E $\frac{1}{2}$ ;  
sec. 34, E $\frac{1}{2}$ ;  
sec. 35, W $\frac{1}{2}$ .
- T. 2 N., R. 64 E.,  
sec. 7, S $\frac{1}{2}$ ;  
sec. 16, SW $\frac{1}{4}$ ;  
sec. 17, NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 18;  
sec. 19, NE $\frac{1}{4}$ ;  
sec. 20, N $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
secs. 21 and 22;  
sec. 23, S $\frac{1}{2}$ ;  
sec. 24, S $\frac{1}{2}$ ;  
sec. 25;  
sec. 26, N $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
sec. 27, N $\frac{1}{2}$ .
- T. 6 N., R. 64 E.,  
sec. 5;  
sec. 7, E $\frac{1}{2}$ ;  
sec. 8;  
sec. 17, W $\frac{1}{2}$ ;  
sec. 18, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 19;  
sec. 20, NW $\frac{1}{4}$ ;  
secs. 30 and 31.
- T. 7 N., R. 64 E.,  
secs. 4, 9, and 16;  
sec. 20, SE $\frac{1}{4}$ ;  
sec. 21;  
sec. 23, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
secs. 29 and 32.
- T. 8 N., R. 64 E.,  
sec. 4;  
sec. 5, E $\frac{1}{2}$ ;  
secs. 9, 16, 21, 23, and 33.
- T. 9 N., R. 64 E.,  
sec. 5, NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 6, E $\frac{1}{2}$ E $\frac{1}{2}$ ;  
sec. 7, E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 17, W $\frac{1}{2}$ ;  
sec. 18, E $\frac{1}{2}$ ;  
sec. 19, E $\frac{1}{2}$ ;

sec. 20, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 sec. 28, W $\frac{1}{2}$ ;  
 sec. 29;  
 sec. 32, E $\frac{1}{2}$ ;  
 sec. 33, W $\frac{1}{2}$ .  
 T. 10 N., R. 64 E.,  
 secs. 6, 7, and 18;  
 sec. 19, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , and NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 sec. 20, W $\frac{1}{2}$ ;  
 sec. 29, W $\frac{1}{2}$ ;  
 sec. 30, E $\frac{1}{2}$ ;  
 sec. 31, E $\frac{1}{2}$ ;  
 sec. 32, W $\frac{1}{2}$ .  
 T. 11 N., R. 64 E., secs. 6, 7, 18, 19, 30, and 31.  
 T. 12 N., R. 64 E.,  
 secs. 5, 8, 17, 20, and 29;  
 sec. 30, SE $\frac{1}{4}$ ;  
 sec. 31;  
 sec. 32, N $\frac{1}{2}$  and SW $\frac{1}{4}$ .  
 T. 13 N., R. 64 E.,  
 sec. 5, secs. 8 to 12 inclusive, and secs. 17, 20, and 29;  
 sec. 32, N $\frac{1}{2}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ .  
 T. 14 N., R. 64 E.,  
 secs. 6, 7, 18, and 19;  
 sec. 20, W $\frac{1}{2}$ ;  
 sec. 29, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 sec. 30, NE $\frac{1}{4}$ ;  
 sec. 32, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ .  
 T. 15 N., R. 64 E.,  
 sec. 6, W $\frac{1}{2}$ ;  
 sec. 7, W $\frac{1}{2}$ ;  
 secs. 18, 19, 30, and 31.  
 T. 18 N., R. 64 E., secs. 5 and 6.  
 T. 19 N., R. 64 E.,  
 secs. 1 to 4, inclusive;  
 secs. 9, 16, 21, and 28;  
 sec. 29, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
 sec. 32;  
 sec. 33, NW $\frac{1}{4}$ .  
 T. 20 N., R. 64 E.,  
 sec. 3, W $\frac{1}{2}$ ;  
 secs. 4, 9, 16, 21, 28, and 33.  
 T. 21 N., R. 64 E.,  
 secs. 4 and 9;  
 sec. 16, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 sec. 17, E $\frac{1}{2}$ ;  
 sec. 20;  
 sec. 21, W $\frac{1}{2}$ NE $\frac{1}{4}$  and W $\frac{1}{2}$ ;  
 secs. 29 and 32.  
 T. 22 N., R. 64 E.,  
 sec. 5, S $\frac{1}{2}$ ;  
 sec. 6;  
 sec. 7, N $\frac{1}{2}$ ;  
 secs. 8, 9, 16, 21, 28, and 33.  
 T. 25 N., R. 64 E.,  
 secs. 6 and 7;  
 sec. 18, NW $\frac{1}{4}$ .  
 T. 26 N., R. 64 E.,  
 sec. 21;  
 sec. 28, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
 sec. 29, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 sec. 32, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 sec. 33, N $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
 T. 1 N., R. 65 E.,  
 secs. 1 and 2;  
 sec. 3, E $\frac{1}{2}$ ;  
 sec. 12, N $\frac{1}{2}$  and SE $\frac{1}{4}$ .  
 T. 2 N., R. 65 E.,  
 sec. 19, S $\frac{1}{2}$ ;  
 sec. 28, S $\frac{1}{2}$ ;  
 sec. 29, NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
 sec. 30;  
 sec. 31, NE $\frac{1}{4}$ ;  
 sec. 32, N $\frac{1}{2}$ ;  
 secs. 33 and 34;  
 sec. 35, W $\frac{1}{2}$ .  
 T. 4 N., R. 65 E.,  
 secs. 3, 4, 5, 8, 9, 10, 15, 16, 17, 20, 21, 22, secs. 25 to 30, inclusive, and secs. 33 to 36, inclusive.  
 T. 5 N., R. 65 E.,  
 secs. 6 to 10, inclusive;  
 sec. 11, W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 secs. 12 to 16, inclusive, secs. 21 to 24, inclusive, and secs. 27, 28, 32, 33, and 34.

T. 6 N., R. 65 E., secs. 6, 7, 18, 19, 30, and 31.  
 T. 7 N., R. 65 E., secs. 3, 10, 15, 22, 27, 31, 32, 33, and 34.  
 T. 8 N., R. 65 E.,  
 sec. 3, W $\frac{1}{2}$ ;  
 sec. 4, E $\frac{1}{2}$ ;  
 sec. 9, E $\frac{1}{2}$ ;  
 secs. 10 and 15;  
 sec. 16, NE $\frac{1}{4}$ ;  
 secs. 22, 27, and 34.  
 T. 9 N., R. 65 E.,  
 sec. 1, W $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 secs. 2 and 11;  
 sec. 12, W $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 sec. 14, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 sec. 15, SE $\frac{1}{4}$ ;  
 sec. 21, SE $\frac{1}{4}$ ;  
 sec. 22;  
 sec. 23, W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 sec. 27;  
 sec. 28, E $\frac{1}{2}$ ;  
 sec. 33, E $\frac{1}{2}$ ;  
 sec. 34.  
 T. 10 N., R. 65 E., secs. 25, 26, and 35.  
 T. 13 N., R. 65 E.,  
 sec. 1, S $\frac{1}{2}$ ;  
 sec. 2, S $\frac{1}{2}$ ;  
 secs. 7, 8, and 9;  
 sec. 10, S $\frac{1}{2}$ ;  
 sec. 11;  
 sec. 12, N $\frac{1}{2}$ .  
 T. 25 N., R. 65 E.,  
 sec. 2, lots 3, 4, and S $\frac{1}{2}$ ;  
 sec. 3, lots 1, 2, and SE $\frac{1}{4}$ ;  
 sec. 10, NE $\frac{1}{4}$ ;  
 secs. 11, 13, 14, and 24.  
 T. 26 N., R. 65 E.,  
 sec. 22;  
 sec. 23, W $\frac{1}{2}$ ;  
 sec. 26, W $\frac{1}{2}$ ;  
 sec. 27, E $\frac{1}{2}$ ;  
 sec. 34, E $\frac{1}{2}$ ;  
 sec. 35, W $\frac{1}{2}$ .  
 T. 1 N., R. 66 E., secs. 1 to 12, inclusive.  
 T. 2 N., R. 66 E., secs. 1 and 2.  
 T. 3 N., R. 66 E., secs. 2, 11, 14, 23, 26, and 35.  
 T. 4 N., R. 66 E.,  
 secs. 3, 10, 15, 22, 27, 29, and secs. 30 to 35, inclusive.  
 T. 10 N., R. 66 E.,  
 sec. 5, W $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 secs. 6, 7, 18, 19, 28, 29, 30, and 33.  
 T. 11 N., R. 66 E., secs. 4, 9, 16, 21, 28, 31, 32, and 33.  
 T. 12 N., R. 66 E.,  
 secs. 3, 10, 15, 22, 27, 33, and 34.  
 T. 13 N., R. 66 E.,  
 secs. 1 to 6, inclusive;  
 sec. 7, N $\frac{1}{2}$ ;  
 secs. 10, 11, 15, 22, 26, 27, 34, 35, and 36.  
 T. 14 N., R. 66 E.,  
 sec. 25, S $\frac{1}{2}$ ;  
 sec. 34, S $\frac{1}{2}$ ;  
 secs. 35 and 36.  
 T. 15 N., R. 66 E.,  
 secs. 1, 11, 12, 14, 23, 25, 26, and 36.  
 T. 16 N., R. 66 E.,  
 sec. 1, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 sec. 12, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 sec. 13, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 sec. 23, E $\frac{1}{2}$  and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 sec. 24, W $\frac{1}{2}$ NW $\frac{1}{4}$  and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 sec. 25, W $\frac{1}{2}$ ;  
 sec. 26, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 sec. 35, E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 sec. 36, W $\frac{1}{2}$ .  
 T. 17 N., R. 66 E.,  
 sec. 1;  
 sec. 2, E $\frac{1}{2}$ ;  
 sec. 11, E $\frac{1}{2}$ ;  
 sec. 12, W $\frac{1}{2}$ ;  
 sec. 13;  
 sec. 14, NE $\frac{1}{4}$ ;  
 secs. 24, 25, and 36.  
 T. 18 N., R. 66 E.,  
 sec. 2, NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
 sec. 3, E $\frac{1}{2}$ ;  
 sec. 10, E $\frac{1}{2}$ ;

sec. 11;  
 sec. 14, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 sec. 23;  
 sec. 25, S $\frac{1}{2}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ ;  
 sec. 26;  
 sec. 35, E $\frac{1}{2}$ ;  
 sec. 36, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and S $\frac{1}{2}$ .  
 T. 19 N., R. 66 E.,  
 sec. 1;  
 sec. 12, E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 sec. 13;  
 sec. 14, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
 sec. 22, SE $\frac{1}{4}$ ;  
 sec. 23;  
 sec. 26, W $\frac{1}{2}$ ;  
 sec. 27, E $\frac{1}{2}$ ;  
 sec. 34, E $\frac{1}{2}$ ;  
 sec. 35, NW $\frac{1}{4}$  and W $\frac{1}{2}$ SW $\frac{1}{4}$ .  
 T. 20 N., R. 66 E.,  
 secs. 12 and 13;  
 sec. 16, SE $\frac{1}{4}$ ;  
 sec. 21, E $\frac{1}{2}$ ;  
 secs. 24 and 25;  
 sec. 26, N $\frac{1}{2}$ ;  
 sec. 27, N $\frac{1}{2}$ ;  
 sec. 28, NE $\frac{1}{4}$ ;  
 sec. 36.  
 T. 22 N., R. 66 E.,  
 secs. 2, 11, 12, and 13.  
 T. 23 N., R. 66 E., secs. 3, 10, 15, 22, 23, 26, and 35.  
 T. 2 N., R. 66 E., secs. 5, 8, 9, 15, 16, 22, 27, and 34.  
 T. 25 N., R. 66 E., secs. 19, 20, 29, and 32.  
 T. 1 N., R. 67 E.,  
 secs. 3 to 8, inclusive;  
 sec. 9, N $\frac{1}{2}$  and N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 sec. 10, N $\frac{1}{2}$ .  
 T. 2 N., R. 67 E.,  
 sec. 6;  
 sec. 7, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 secs. 17, 18, and 19;  
 sec. 20, E $\frac{1}{2}$ ;  
 sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 sec. 27, W $\frac{1}{2}$ ;  
 sec. 28;  
 sec. 29, NW $\frac{1}{4}$ ;  
 sec. 30, E $\frac{1}{2}$ NE $\frac{1}{4}$  and W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 sec. 31;  
 sec. 32, W $\frac{1}{2}$ ;  
 sec. 33;  
 sec. 34, W $\frac{1}{2}$ .  
 T. 10 N., R. 67 E., sec. 1.  
 T. 11 N., R. 67 E.,  
 sec. 3, W $\frac{1}{2}$ E $\frac{1}{2}$  and W $\frac{1}{2}$ ;  
 sec. 4, E $\frac{1}{2}$ E $\frac{1}{2}$ ;  
 sec. 9, E $\frac{1}{2}$ E $\frac{1}{2}$ ;  
 sec. 10, W $\frac{1}{2}$ E $\frac{1}{2}$  and W $\frac{1}{2}$ ;  
 sec. 14, S $\frac{1}{2}$ ;  
 sec. 15;  
 sec. 16, E $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
 sec. 22, N $\frac{1}{2}$ ;  
 secs. 23, 24, 25, and 36.  
 T. 12 N., R. 67 E.,  
 sec. 1, N $\frac{1}{2}$ ;  
 sec. 2, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
 secs. 3, 4, 5, and 6;  
 sec. 9, E $\frac{1}{2}$ ;  
 sec. 10;  
 sec. 11, W $\frac{1}{2}$ ;  
 sec. 14, W $\frac{1}{2}$ ;  
 sec. 15;  
 sec. 22, NE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 sec. 23, W $\frac{1}{2}$ E $\frac{1}{2}$  and W $\frac{1}{2}$ ;  
 sec. 25, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 sec. 26, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 sec. 27, E $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 sec. 33, E $\frac{1}{2}$ ;  
 sec. 34;  
 sec. 35, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and N $\frac{1}{2}$ NW $\frac{1}{4}$ .  
 T. 13 N., R. 67 E.,  
 secs. 31, 32, and 33;  
 sec. 34, SW $\frac{1}{4}$  and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 sec. 35, S $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
 sec. 36, S $\frac{1}{2}$ .



T. 14 N., R. 67 E.,  
secs. 6, 7, 13, and 14;  
sec. 15, E $\frac{1}{2}$ ;  
secs. 18 and 19;  
sec. 20, SE $\frac{1}{4}$ ;  
sec. 21, S $\frac{1}{2}$ ;  
sec. 22;  
sec. 23, W $\frac{1}{2}$ ;  
sec. 27, N $\frac{1}{2}$ ;  
sec. 28, N $\frac{1}{2}$ ;  
sec. 29, NE $\frac{1}{4}$  and W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
secs. 30 and 31.

T. 15 N., R. 67 E., secs. 30 and 31.

T. 20 N., R. 67 E., secs. 5, 7, and 8.

T. 21 N., R. 67 E., secs. 5, 8, 17, 20, 29, and 32.

T. 22 N., R. 67 E., secs. 18, 19, 29, 30, and 32.

T. 6 N., R. 68 E., secs. 3, 10, 11, 13, and 14.

T. 7 N., R. 68 E., secs. 3, 10, 15, 22, 27, and 34.

T. 8 N., R. 68 E., secs. 3, 10, 15, 22, 27, and 34.

T. 9 N., R. 68 E., secs. 4, 9, 15, 16, 22, 27, and 34.

T. 10 N., R. 68 E.,  
sec. 4, W $\frac{1}{2}$ ;  
secs. 5 and 6;  
sec. 8, E $\frac{1}{2}$ ;  
sec. 9, NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 16;  
sec. 17, NE $\frac{1}{4}$ ;  
secs. 21, 23, and 33.

T. 14 N., R. 68 E.,  
secs. 1, 2-3, and 4;  
sec. 8, SE $\frac{1}{4}$ ;  
secs. 9, 10, 11, 12, 16, 17, and 18.

T. 5 N., R. 69 E., secs. 2, 11, 13, and 14.

T. 6 N., R. 69 E., secs. 15, 16, 17, 18, 22, 27, and 34.

T. 14 N., R. 69 E.,  
sec. 5, SW $\frac{1}{4}$ ;  
secs. 6, 7, and 8;  
sec. 14, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
sec. 15, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
sec. 16, S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
sec. 17;  
sec. 18, NE $\frac{1}{4}$ ;  
sec. 21, N $\frac{1}{2}$ ;  
secs. 22 and 23;  
sec. 24, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
sec. 25.

T. 2 N., R. 70 E.,  
secs. 4 and 9;  
sec. 16, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
sec. 17, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
secs. 19 and 20.

T. 3 N., R. 70 E., secs. 4, 9, 16, 21, 28, and 33.

T. 4 N., R. 70 E., secs. 4, 9, 16, 21, 28, and 33.

T. 5 N., R. 70 E.,  
sec. 18;  
sec. 19, NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
secs. 20, 21, 28, and 33.

T. 14 N., R. 70 E.,  
sec. 25, S $\frac{1}{2}$ ;  
sec. 26, S $\frac{1}{2}$ ;  
sec. 27, S $\frac{1}{2}$ ;  
sec. 28, S $\frac{1}{2}$ ;  
sec. 29, S $\frac{1}{2}$ ;  
sec. 30;  
sec. 31, N $\frac{1}{2}$ ;  
secs. 32 to 36, inclusive.

T. 1 S., R. 58 E.,  
sec. 2;  
sec. 3, N $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
sec. 11;  
sec. 12, NW $\frac{1}{4}$ -and S $\frac{1}{2}$ ;  
sec. 13;  
sec. 14, NE $\frac{1}{4}$ ;  
sec. 24;  
sec. 25, N $\frac{1}{2}$  and SE $\frac{1}{4}$ .

T. 1 S., R. 59 E.,  
sec. 19, SW $\frac{1}{4}$ ;  
secs. 30 and 31.

T. 2 S., R. 59 E., secs. 6, 7, 18, 19, 30, and 31.

T. 3 S., R. 59 E.,  
secs. 6, 7, and 8;  
sec. 16, W $\frac{1}{2}$ ;

sec. 17;  
sec. 20, E $\frac{1}{2}$ ;  
sec. 21, NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
sec. 23;  
sec. 29, NE $\frac{1}{4}$ ;  
sec. 33.

T. 4 S., R. 59 E.,  
secs. 4 and 9;  
sec. 10, SW $\frac{1}{4}$ ;  
sec. 15;  
sec. 16, N $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
sec. 22;  
sec. 23, SW $\frac{1}{4}$ ;  
sec. 26;  
sec. 27, N $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
sec. 35, W $\frac{1}{2}$ .

The areas described, including both public and non-public lands, aggregate 682,319.18 acres.

OSCAR L. CHAPMAN,  
Assistant Secretary of the Interior.  
OCTOBER 20, 1942.

[F. R. Doc. 42-11366; Filed, November 3, 1942;  
2:39 p. m.]

## DEPARTMENT OF LABOR.

### Wage and Hour Division.

#### LEARNER EMPLOYMENT CERTIFICATES

##### ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3932).

Millinery Learner Regulations, Custom Made and Popular Priced, August 23, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 10, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates,

et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective November 5, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

*Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry*

Alan Dress Co., 803 Chestnut St., Klumpfont, Pennsylvania; Dresses; 10 learners (T); November 5, 1943.

Altoona Factories, 1715 11th Ave., Altoona, Pennsylvania; Work Trousers, overalls, hunting clothes; 10 percent (T); November 5, 1943.

Chickadee Dress Co., 835 E. 4th St., Bethlehem, Pennsylvania; Ladies' dresses; 10 percent (T); November 5, 1943.

Eloesser-Heynemann Co., 1161 Mission St., San Francisco, California; Overalls, pants and shirts; 10 percent (T); November 5, 1943.

Ely & Walker Dress Factory, 1200 So. 8th St., St. Louis, Missouri; Popular priced junior dresses; 10 percent (T); November 5, 1943.

Ely & Walker Dry Goods Co., Ilmo, Missouri; Overalls & jackets, trousers; 10 percent (T); November 5, 1943.

Ely & Walker Lingerie Factory, Warrenton, Missouri; Slips, women's and children's pants, pajamas and nightgowns; 10 percent (T); November 5, 1943.

Fishman & Tobin, Broad & Carpenter Sts., Philadelphia, Pennsylvania; Boys' wash suits; 10 percent (T); November 5, 1943.

Harrisburg Children's Dress Co., 14 & Howard Sts., Harrisburg, Pennsylvania; Children's wearing apparel; 10 percent (T); November 5, 1943.

The Hawk & Buck Co., Inc., 316 Washington St., Waco, Texas; Cotton pants and coveralls for U. S. Quartermaster, cotton work clothes; 10 percent (T); November 5, 1943.

Hollywood Maxwell Co., 437 S. Pleasant St., Princeton, Illinois; Brassieres; 5 learners (T); November 5, 1943.

Industrial Garment Co., 2517 St. Main St., Los Angeles, California; Work pants, coveralls, work shirts; 25 learners (E); May 5, 1943.

Abe Kahn Halbreich Co., Elizabethtown, Pennsylvania; Cotton dresses; 7 learners (T); November 5, 1943.

Joseph Malouf Co., 755 Market St., San Francisco, California; Ladies' slips; 10 learners (T); November 5, 1943.

The NuBone Co., Inc., 25th & Ash Sts., Erie, Pennsylvania; Corsets, brassieres, surgical belts and back braces; 10 percent (T); November 5, 1943.

Public Overall Co., Inc., Main St., Bloomingdale, New Jersey; Overalls; 5 learners (T); November 5, 1943.

W. & G. Mfg. Co., Market St., Blades, Delaware; Pajamas and shirts; 10 percent (T); November 5, 1943.

Wilson Shirt Co., 180 Trinity Ave., Atlanta, Georgia; Shirts; 10 percent (T); November 5, 1943.

#### Glove Industry

Jules Gignac, 5 Allen St., Gloversville, New York; leather dress gloves; 1 learner (T); November 5, 1943.

#### Hosiery Industry

H. R. H. Silk Hosiery Mills of Illinois, 3rd & Springs Sts., Quincy, Illinois; Seamless hosiery; 5 learners (T); November 5, 1943.

Johns City Mills, New St. & Southern Railway, Johnson City, Tennessee; Seamless and full-fashioned hosiery; 5 percent (T); November 5, 1943.

Wm. G. Leininger Knitting Co., Main Mill, Mohnton, Pennsylvania; Seamless hosiery; 5 percent (T); November 5, 1943.

Wm. G. Leininger Knitting Co., Lyons Plant, Lyons, Pennsylvania; Seamless hosiery; 5 learners (T); November 5, 1943.

Wm. G. Leininger Knitting Co., Wilton Plant, Mohnton, Pennsylvania; Seamless hosiery; 5 learners (T); November 5, 1943.

Wm. G. Leininger Knitting Co., Eshelman Plant, Mohnton, Pennsylvania; Seamless hosiery; 5 learners (T); November 5, 1943.

Rambo & Regar, Inc., Main below Ford St., Norristown, Pennsylvania; Seamless hosiery; 5 percent (T); November 5, 1943.

#### Knitted Wear Industry

Elmira Knitting Mills, Prospect Ave., Elmira Heights, New York; Knitted underwear; 5 percent (T); November 5, 1943.

#### Textile Industry

Muster Co., Adams Ave., Berwick, Pennsylvania; Thrown silk; 3 learners (T); November 5, 1943.

Newark Silk Co., Inc., 731 S. Franklin St., Wilkes-Barre, Pennsylvania; Rayon; 3 percent (T); November 5, 1943.

Signed at New York, N. Y., this 3d day of November 1942.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 42-11395; Filed, November 4, 1942;  
11:32 a. m.]

#### BUFFALO WOVEN LABEL WORKS, INC.

#### CANCELLATION OF SPECIAL CERTIFICATES CONFIRMED

Notice of confirmation of cancellation of Special Certificates for the employment of learners in the textile industry.

Notice is hereby given that the Findings and Determination of the duly authorized representative of the Administrator dated September 10, 1942, directing that the special certificates for the employment of learners, namely (1) certificate dated June 21, 1940, authorizing the employment of no more than three learners at any one time, (2) certificate dated October 23, 1941 authorizing the employment of no more than three learn-

ers at any one time, and (3) certificate dated October 23, 1941 authorizing the employment of no more than two learners at any one time, issued to the Buffalo Woven Label Works, Inc., of Buffalo, New York, be cancelled as of the first date of violation because of violation of their terms, is hereby confirmed.

This order of confirmation shall not become effective and enforceable until after the expiration of a fifteen-day period following the date on which this notice appears in the FEDERAL REGISTER. During this time, petition for review by the Administrator or by an authorized representative who has had no part in the proceedings heretofore may be filed by any directly interested and aggrieved party pursuant to § 522.151 of the regulations. If a petition is properly filed, the effective date of the order confirming the cancellation shall be postponed until final action is taken on the petition. Signed at New York, New York, this 30th day of October 1942.

ISABEL FERGUSON,  
Duly Authorized Representative  
of the Administrator.

[F. R. Doc. 42-11393; Filed, November 4, 1942;  
11:32 a. m.]

#### SEAMLESS HOSEIERY INDUSTRY

#### HEARING ON MINIMUM WAGE RECOMMENDATIONS

Notice of hearing on the minimum wage recommendations of Industry Committee No. 21 for the Seamless Hosiery Industry to be held November 24, 1942.

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor, pursuant to the provisions of sections 5 and 8 of the Fair Labor Standards Act of 1938 approved the recommendation of Industry Committee No. 21 for the Seamless Hosiery Industry for a minimum wage rate of 36-cents per hour in such industry and issued a wage order on July 10, 1941 making said minimum effective on September 15, 1941; and

Whereas, the Acting Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938 on September 23, 1942, by Administrative Order No. 158, reconvened Industry Committee No. 21 for the Seamless Hosiery Industry, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas Industry Committee No. 21, on October 29, 1942, recommended a minimum wage rate for the Seamless Hosiery Industry and duly adopted a report containing such recommendations and reasons therefor and filed such report with the Administrator on November 2, 1942, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas the Administrator is required by section 8 (d) of the Act, after due

notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 21 if he finds that the recommendation is made in accordance with the law and is supported by the evidence adduced at the hearing before him and taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 21 is as follows:

Wages at a rate of not less than forty cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Seamless Hosiery Industry (as defined in Administrative Order No. 158) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the Seamless Hosiery Industry as set forth in Administrative Order No. 158 issued September 23, 1942, is as follows:

The manufacturing or processing of seamless hosiery, including among other processes the knitting, dyeing, clocking and all phases of finishing seamless hosiery, but not including the manufacturing or processing of yarn or thread.

III. The full text of the report and recommendation of Industry Committee No. 21 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:30 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, Old South Building, 294 Washington Street.

New York, New York, 341 Ninth Avenue.

Newark, New Jersey, Essex Building, 31 Clinton Street.

Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets.

Pittsburgh, Pennsylvania, Clark Building, Liberty Avenue & Seventh Street.

Richmond, Virginia, 215 Richmond Trust Building, 627 East Main Street.

Baltimore, Maryland, 201 North Calvert Street.

Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets.

Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets.

Atlanta, Georgia, Fifth Floor, Witt Building, 249 Peachtree Street, N. E.

Jacksonville, Florida, 456 New Post Office Building.

Birmingham, Alabama, 1908 Comer Building, 2nd Avenue and 21st Street.

New Orleans, Louisiana, 916 Union Building.

Jackson, Mississippi, 402 Deposit Guaranty Bank Building, 102 Lamar Street.

Nashville, Tennessee, 509 Medical Arts Building, 115 Seventh Avenue, N.

Cleveland, Ohio, Main Post Office, West 3rd and Prospect Avenue.

Cincinnati, Ohio, 1312 Traction Building, 5th and Walnut Streets.

Detroit, Michigan, David Scott Building, 1150 Griswold Street.

Chicago, Illinois, 1200 Merchandise Mart, 222 W. North Bank Drive.

Minneapolis, Minnesota, 406 Fence Building, 730 Hennepin Avenue.

Kansas City, Missouri, 504 Title and Trust Building, 10th and Walnut Streets.  
St. Louis, Missouri, 316 Old Customs House.

Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street.

Dallas, Texas, Rio Grande National Building, 1100 Main Street.

San Francisco, California, 500 Humboldt Bank Building, 785 Market Street.

Los Angeles, California, 417 H. W. Hellman Building.

Seattle, Washington, 305 Post Office Building, 3d Avenue and Union Street.

San Juan, Puerto Rico, Post Office Box 112.

Washington, District of Columbia, Department of Labor, 1st Floor.

New York, New York, 165 West 46th Street.

Copies of the committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

IV. A public hearing will be held on November 24, 1942, before Major Robert N. Campbell, Presiding Officer, at 10:00 a. m. in Room 1610, 165 West 46th Street, New York, New York, for the purpose of taking evidence on the following question:

1. Whether the recommendation of Industry Committee No. 21 should be approved or disapproved.

V. Any interested persons supporting or opposing the recommendation of Industry Committee No. 21 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person; provided that not later than November 17, 1942, such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.

2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.

3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 21.

4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 21 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, I. C., and New York, New York.

VII. Copies of the following documents relating to the Seamless Hosiery Industry will be made available on request for inspection by any interested person who intends to appear at the aforesaid hearing:

Release. "Estimated Inter-city Differences in Cost of Living," June 1, 1942, prepared by the Bureau of Labor Statistics, U. S. Department of Labor.

Release. "The Cost of Living," August 15, 1942, prepared by the Bureau of Labor Statistics, U. S. Department of Labor.

Report. "Minimum Wages in the Seamless Hosiery Industry," March 1941, prepared by the Economics Branch of the Wage and Hour Division.

Release. "Memorandum on Recent Economic Developments in the Seamless Hosiery Industry," October 1942, prepared by the Economics Branch of the Wage and Hour Division.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Presiding Officer as are deemed appropriate:

1. The hearings shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.

3. At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place, by announcement thereof at the hearing by the Presiding Officer, or by other appropriate notice.

4. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the Presiding Officer has closed the hearing before him, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer the original document together

with two copies of those portions of the document intended to be put in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.

12. Before the close of the hearing, the Presiding Officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. These requests will be forwarded to the Administrator by the Presiding Officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing, the Presiding Officer shall forthwith file a complete record of the proceedings with the Administrator. The Presiding Officer shall not file an intermediate report unless so directed by the Administrator. If a report is filed, it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at Washington, D. C., this 3d day of November 1942.

L. METCALFE WALLING,  
Administrator.

[F. R. Doc. 42-11394; Filed, November 4, 1942; 11:30 a. m.]

## FEDERAL POWER COMMISSION.

[Docket No. G-412]

## UNITED FUEL GAS COMPANY

## ORDER AUTHORIZING WITHDRAWAL OF RATE SCHEDULE, ETC.

NOVEMBER 3, 1942.

Order authorizing withdrawal of rate schedule, and vacating order of September 1, 1942.

It appearing to the Commission that:

(a) By order of September 1, 1942, a hearing was set for November 9, 1942, concerning the lawfulness of proposed increased rates or charges as provided for by United Fuel Gas Company Rate Schedule FPC No. 22 for the sale of natural gas by United Fuel Gas Company to Louisville Gas & Electric Company for resale for ultimate public consumption;

(b) Pending such hearing and decision thereon, it was further ordered that the proposed increased rates or charges be suspended and that the rates or charges contained in United Fuel Gas Company Rate Schedule FPC No. 3 and Supplements Nos. 1 and 2 and Supplement No. 2 to Supplement No. 2 to said rate schedule be continued in full force and effect;

(c) On October 30, 1942, United Fuel Gas Company filed an application for authority to withdraw its Rate Schedule FPC No. 22 and to continue the sale of natural gas to Louisville Gas & Electric Company in accordance with the provisions of United Fuel Gas Company Rate Schedule FPC No. 3 and Supplements Nos. 1 and 2 and Supplement No. 2 to Supplement No. 2 to said rate schedule; The Commission finds that:

It will be consistent with the public interest to permit the requested withdrawal of United Fuel Gas Company Rate Schedule FPC No. 22 and to vacate the aforesaid order of September 1, 1942;

The Commission Orders, That:

(A) United Fuel Gas Company be and it is hereby authorized to withdraw its Rate Schedule FPC No. 22;

(B) United Fuel Gas Company Rate Schedule FPC No. 3 and Supplements Nos. 1 and 2 and Supplement No. 2 to Supplement No. 2 to said rate schedule shall remain and continue in full force and effect;

(C) The said order of September 1, 1942, be and it is hereby vacated;

(D) Nothing contained in this order shall be construed as constituting approval by this Commission of any service, rate, provision or condition contained in United Fuel Gas Company Rate Schedule FPC No. 3 and Supplements Nos. 1 and 2 and Supplement No. 2 to Supplement No. 2 to said rate schedule;

(E) This order is without prejudice to any findings or orders which may be made by the Commission in any proceedings now pending or hereafter instituted by or against the United Fuel Gas Company.

By the Commission.

[SEAL]

LEON M. FURQUAY,  
Secretary.

[F. R. Doc. 42-11390; Filed, November 4, 1942;  
11:27 a. m.]

## FEDERAL TRADE COMMISSION.

[Docket No. 4655]

## PLATTNER DISTRIBUTING Co.

## ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3d day of November, A. D. 1942.

In the matter of Harry V. Plattner, an individual, trading as Plattner Distributing Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

*It is ordered*, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Tuesday, November 10, 1942, at two-thirty o'clock in the afternoon of that day (eastern standard time) in a hearing room of the Federal Trade Commission Building, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 42-11382; Filed, November 4, 1942;  
10:59 a. m.]

[Docket No. 4782]

## FRANKLIN SALES Co.

## ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3rd day of November, A. D. 1942.

In the matter of Myron Trotcky, an individual trading as Franklin Sales Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

*It is ordered*, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding, and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Tuesday, November 10, 1942, at two-thirty o'clock in the afternoon of that day (eastern standard time) in a hearing room of the Federal Trade Commission Building, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on

behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 42-11383; Filed, November 4, 1942;  
10:59 a. m.]

## OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT B-28]

BOSTON—SPRINGFIELD, MASS.

## MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Directing coordinated operation of passenger carriers by motor vehicle between Boston and Springfield, Massachusetts.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with the Office of Defense Transportation by Boston, Worcester & New York Street Railway Company, Framingham, Massachusetts, and Peter Picknelly, doing business as The Peter Pan Bus Lines, Springfield, Massachusetts, pursuant to § 501.49, Subpart H, (General Order ODT 11'), Part 501, Chapter II, Title 49 of the Code of Federal Regulations, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. Boston, Worcester & New York Street Railway Company and Peter Picknelly, doing business as The Peter Pan Bus Lines, (hereinafter collectively called "carriers"), respectively, in the transportation of passengers on the routes served by them between Boston and Springfield, Massachusetts, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies, and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel informa-

17 FR. 4389.

tion, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers;

(d) Publish consolidated time tables.

2. Between Boston and Springfield, Massachusetts, Boston, Worcester & New York Street Railway Company shall operate a through service of not to exceed one round trip daily, and Peter Picknelly shall operate a through service of not to exceed six round trips on week days and seven round trips on Sundays and legal holidays.

3. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements, to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

4. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT B-28."

This order shall become effective November 12, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this fourth day of November, 1942.

JOSEPH B. EASTMAN,  
Director of Defense Transportation.

[F. R. Doc. 42-11384; Filed, November 4, 1942;  
10:59 a. m.]

[Special Order ODT B-29]

MILWAUKEE—LAKE GENEVA, WIS.

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Directing coordinated operation of passenger carriers by motor vehicle between Milwaukee and Lake Geneva, Wisconsin.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with the Office of Defense Transportation by Peoria-Rockford Bus Company, Rockford, Illinois, and Alfred E. Bramucci, doing business as Midland Coach Lines, Burlington, Wisconsin pursuant to section 501.49 of General Order ODT 11,<sup>1</sup> and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including

rubber, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. Peoria-Rockford Bus Company and Alfred E. Bramucci, doing business as Midland Coach Lines, (hereinafter collectively called "carriers"), respectively, in the transportation of passengers on the routes served by them between Milwaukee and Lake Geneva, Wisconsin, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial without preference or discrimination for or against any of such carriers.

2. Between Milwaukee and Lake Geneva, Wisconsin, Peoria-Rockford Bus Company and Alfred E. Bramucci each shall operate a through service of not to exceed three round trips daily.

3. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with the Wisconsin Public Service Commission in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said commissions for special permission for such tariffs or supplements to become effective on one day's notice.

4. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT B-29."

This order shall become effective November 12, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 4th day of November 1942.

JOSEPH B. EASTMAN,  
Director of Defense Transportation.

[F. R. Doc. 42-11385; Filed, November 4, 1942;  
11:00 a. m.]

## OFFICE OF PRICE ADMINISTRATION.

[Suspension Order 152]

ROY HARRIMAN AND NORA HARRIMAN

### RESTRICTING TRANSACTIONS

Roy Harriman and Nora Harriman, co-partners, doing business as Roy's Milk Bar, 1600 Jackson Street, Baltimore, Maryland, hereinafter called respondents, were duly served with a notice of specific charges of violation of Rationing Order No. 3, Sugar Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing upon the charges was held on September 11, 1942, in Baltimore, Maryland. There appeared a representative of the Office of Price Administration and the respondents. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered by the Deputy Administrator, it is hereby determined that:

(a) On the 29th day of April, 1942, respondents registered for Roy's Milk Bar, an industrial user of sugar, located at 1600 Jackson Street, Baltimore, Maryland, and filed OPA Form R-310 with local Rationing Board No. 4, Baltimore County, Maryland;

(b) Respondents have violated § 1407.83 of Rationing Order No. 3, Sugar Rationing Regulations in that on said OPA Form R-310 respondents declared that the quantity of sugar used by them in the production of bottle beverages, flavoring extracts, and syrups was 4,000 pounds per month for the months of May, June, July, August and September of 1941, whereas the quantity of sugar in fact used by respondents for such purposes during each of those months was a much smaller amount;

(c) By reason of the false statements made by them on OPA Form R-310 respondents subsequently received allotments of sugar upon their applications for the months of May, June, July and August, 1942, in amounts in excess of those to which they were entitled under Rationing Order No. 3, Sugar Rationing Regulations.

Because of the great scarcity of sugar in the United States the violations of Rationing Order No. 3, Sugar Rationing Regulations resulted in the diversion of sugar from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national defense. It appears to the Deputy Administrator that further violations of Rationing Order No. 3, Sugar Rationing Regulations by respondents are likely unless appropriate administrative action is taken;

*It is therefore ordered:*

(d) The registration of Roy's Milk Bar as an industrial user of sugar made by respondents on the 29th of April, 1942, together with OPA Form R-310 filed by respondents in connection therewith, is hereby cancelled and all allotments of sugar based on such registration or form are hereby revoked.

(e) Upon cancellation and revocation of respondents' registration and allot-



ments as aforesaid, respondents shall be entitled to register anew for Roy's Milk Bar as an industrial user of sugar. Such registration shall be made by petition on OPA Form R-315 and in accordance with the provisions of § 1407.163 of Rationing Order No. 3, Sugar Rationing Regulations. Such petition on OPA Form R-315 shall be deemed filed as of April 23, 1942, and respondents shall be entitled to allotments in the appropriate amounts for all periods since that date but future allotments shall be adjusted by deducting therefrom the excess amounts of sugar heretofore obtained by respondents by reason of their original improper registration and allotments based thereon.

(f) Any terms used in this Suspension Order that are defined in Rationing Order No. 3, Sugar Rationing Regulations, shall have the meaning therein given them.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. 9125; 7 F.R. 2719; W.P.B. Dir. 1 and Supp. Dir. 1E, 7 F.R. 2965)

Issued and effective this 3d day of November 1942.

[SEAL]

PAUL M. O'LEARY,  
Deputy Administrator,  
In Charge of Rationing.

[F. R. Doc. 42-11347; Filed, November 3, 1942;  
12:13 p. m.]

[Suspension Order 153]

GEORGE KALASHIAN AND JERE A. LEARY

ORDER RESTRICTING TRANSACTIONS

George Kalashian and Jere A. Leary, doing business as Kalashian and Leary, 2 Kent Street, Newburyport, Massachusetts, hereinafter called respondents were duly served with a notice of specific charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing upon the charges was held on September 25, 1942, in Boston, Massachusetts. There appeared a representative of the Office of Price Administration and respondents. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered by the Deputy Administrator, it is hereby determined that:

(a) On July 22, 1942, respondents were both dealers in and intermediate distributors of gasoline having their place of business in Newburyport, Massachusetts.

(b) Respondents have violated § 1394.1601 of Ration Order No. 5A, Gasoline Rationing Regulations in that on July 23, 1942, in their registration with War Price and Rationing Board No. 24, Newburyport, Massachusetts, on OPA Form R-545 they registered their total gasoline storage capacity as 22,000 gallons and their total inventory of gasoline on hand as of their first opening of business on July 22, 1942, as 3,610 gallons; whereas the total capacity of respondents' gasoline storage facilities was in fact 21,270 gallons and their total

inventory of gasoline was in fact 11,132 gallons.

(c) Respondents have violated § 1394.1601 of Ration Order No. 5A, Gasoline Rationing Regulations in that on July 27, 1942, in an amended registration with War Price and Rationing Board No. 24, Newburyport, Massachusetts, respondents registered their total inventory of gasoline on hand as of their first opening of business on July 22, 1942, as 10,363 gallons, whereas such total inventory of gasoline was in fact 11,132 gallons.

The violations of Ration Order No. 5A, Gasoline Rationing Regulations by respondents have interfered with the effective administration and enforcement of Ration Order No. 5A, Gasoline Rationing Regulations, which have been prescribed in the public interest and to promote the national defense. It appears to the Deputy Administrator that further violations of Ration Order No. 5A, Gasoline Rationing Regulations by respondents are likely unless appropriate administrative action is taken.

It is therefore ordered, That:

(d) During the period in which this suspension order shall be in effect:

(1) Respondents shall not sell, transfer or deliver any gasoline to any person.

(2) Respondents shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline.

(3) No person, firm or corporation shall deliver, or in any manner directly or indirectly transfer any gasoline to respondents.

(e) Within three days after the effective date of this order, respondents appear before War Price and Rationing Board No. 24, Newburyport, Massachusetts, and correct the registration made on July 27, 1942, and surrender to said Board gasoline rationing coupons for 76½ gallons of gasoline.

(f) Any terms used in this Suspension Order No. 153 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(g) This suspension order shall become effective 12:01 A. M. November 9, 1942, and unless sooner terminated, shall expire 12:01 A. M. January 8, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong.; E.O. 9125, 7 F.R. 2719; W.P.B. Dir. 1 and Supp. Dir. 1E, 7 F.R. 3378, 3877, 5216)

Issued this 3d day of November 1942.

[SEAL]

PAUL M. O'LEARY,  
Deputy Administrator,  
In Charge of Rationing.

[F. R. Doc. 42-11348; Filed, November 3, 1942;  
12:13 p. m.]

[Order 73 Under MPR 120]

PRINCESS PAT COAL, INC.

ORDER GRANTING ADJUSTMENT

Order No. 73 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120-80-P.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Revised Procedural Regulation No. 1, it is ordered:

(a) Princess Pat Coal, Incorporated, Cumberland, Maryland, may sell and deliver, and any person may buy and receive the bituminous coal described in paragraph (b) at prices not in excess of the respective prices stated therein for shipment by rail.

(b) Coals produced in Size Group 6 by Princess Pat Coal, Incorporated, at its Princess Pat Mine (Mine Index No. 1338) in District No. 3 may be sold for shipment by rail at prices not to exceed \$2.65 per net ton f. o. b. the mine.

(c) This Order No. 73 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 73 shall become effective November 4, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11326; Filed, November 3, 1942;  
11:23 a. m.]

[Order 5 Under MPR 204]

METALS RESERVE CO., ET AL.

PRICES FOR COPPER SCREENING

Order No. 5 under Maximum Price Regulation No. 204—Idle or Frozen Materials Sold Under Priorities Regulation No. 13.

An opinion in support of this Order No. 5 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1499.606 of Maximum Price Regulation No. 204 and in accordance with Procedural Regulation No. 1, it is hereby ordered That:

(a) Maximum prices for copper and copper base alloy insect screening sold or delivered to the Metals Reserve Company, the Copper Recovery Corporation or any agent thereof. The maximum price for any copper or copper base alloy insect screening sold or delivered to the Metals Reserve Company, the Copper Recovery Corporation or any agent thereof pursuant to the program for the acquisition thereof announced by the War Production Board on October 19, 1942 (Salvage Program FRB-21) shall be the net price paid for such screening by the holder thereof plus 10% of such net price f. o. b. cars or trucks, or, if by water, f. a. s. shipping point.

(b) As used in this Order No. 5:

(1) "Copper or copper base alloy insect screening" means wire mesh cloth made of copper or of copper base alloy containing 90% or more of copper.



(2) "Net price paid" means the list price which prevailed in the market in which the screening was purchased less standard discounts and any extra or special discount and less any allowance of any nature whatever and excluding any freight or handling charges.

(c) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 5 shall become effective as of October 19, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11325; Filed, November 3, 1942;  
11:23 a. m.]

[Order 7 Under RPS 28]

MID-VALLEY DISTILLING CORPORATION

ORDER GRANTING ADJUSTMENT

Order No. 7 under Revised Price Schedule No. 28—Ethyl Alcohol—Docket No. 3028-11.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) Notwithstanding anything to the contrary contained in Revised Price Schedule No. 28 or in the General Maximum Price Regulation, Mid-Valley Distilling Corporation, Archbald, Pennsylvania, may charge for deliveries of ethyl alcohol of 188 proof or higher, of any formulae thereof, including pure ethyl alcohol, made to the Defense Supplies Corporation, Washington, D. C., and to the United States Treasury Department during the period August 16 to September 30, 1942, inclusive, prices not in excess of those set forth below:

\$8058 per wine gallon, f. o. b. plant.

(b) All prayers of the applicant not granted herein are denied.

(c) This Order No. 7 under Revised Price Schedule No. 28 shall become effective November 3, 1942, and shall operate retroactively from August 16, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11327; Filed, November 3, 1942;  
11:23 a. m.]

[Order 6 Under MPR 204]

METALS RESERVE CO., ET AL.

PRICES FOR CADMIUM, ETC.

Order No. 6 under Maximum Price Regulation No. 204—Idle or Frozen Materials Sold Under Priorities Regulation No. 13.

An opinion in support of this Order No. 6 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as

amended, Executive Order No. 9250 and § 1499.506 of Maximum Price Regulation No. 204 and in accordance with Procedural Regulation No. 1, it is hereby ordered that:

(a) *Maximum prices for cadmium, cadmium oxide, cadmium scrap and cadmium alloy scrap sold or delivered to Metals Reserve Company or any agent thereof.* (1) The maximum prices for cadmium, cadmium oxide, cadmium scrap and cadmium alloy scrap sold or delivered to Metals Reserve Company or any agent thereof pursuant to a program for the acquisition thereof announced by the War Production Board on October 21, 1942, (Salvage Program IRB-20) shall be the following:

Type of material:	Price f. o. b. plant of the Udylite Corp., Detroit, Mich.
1. Unused anodes (all shapes, including ball and patented shapes) (cents per pound of material).....	95
2. Partially used anodes (all shapes, including ball and patented shapes) (cents per pound of material).....	94
3. Pigs, slabs, bars, plates, sticks, pencils, rods, ingots, and all other "regular", straight or flat forms (cents per pound of material).....	90
4. Cadmium oxide (dry and properly packaged) (cents per pound of material).....	95
5. Cadmium scrap (cents per pound of cadmium contained).....	35

(b) As used in this Order No. 6:

(1) "Cadmium" means cadmium metal of a purity of at least 99.90% and containing not in excess of .05% silver, lead or tin or any combination thereof and not in excess of .005% arsenic, antimony and thallium or any combination thereof, the remaining major impurities being limited to cadmium oxide, zinc and iron.

(2) "Cadmium oxide" means cadmium which has been oxidized into a dry powder having a cadmium metallic content of not less than 84% and containing not in excess of .05% silver, lead or tin or any combination thereof and not in excess of .005% arsenic, antimony and thallium or any combination thereof, the remaining major impurities being limited to zinc and iron.

(3) "Cadmium scrap and cadmium alloy scrap" means any scrap materials containing any cadmium or cadmium alloy except material which has been plated with cadmium or furnace drosses containing cadmium.

(c) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 6 shall become effective as of October 21, 1942.

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11360; Filed, November 3, 1942;  
1:37 p. m.]

[Order 7 Under MPR 204]

METALS RESERVE CO., ET AL.

PRICES FOR IRIIDIUM, ETC.

Order No. 7 under Maximum Price Regulation No. 204—Idle or Frozen Ma-

terials Sold Under Priorities Regulation No. 13.

An opinion in support of this Order No. 7 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and section 1499.506 of Maximum Price Regulation No. 204 and in accordance with Procedural Regulation No. 1, it is hereby ordered that:

(a) *Maximum prices for iridium, iridium alloys and iridium-containing scrap sold or delivered by a manufacturing jeweler to the Metals Reserve Company or any agent thereof.* (1) The maximum prices for iridium, iridium alloys or iridium-containing scrap sold or delivered by a manufacturing jeweler to the Metals Reserve Company or any agent thereof pursuant to the program for the acquisition thereof announced by the War Production Board on October 20, 1942, (Salvage Program IRB-17) shall be determined on the following basis:

Contents of material as determined by National Bureau of Standards:	Price in dollars per ounce troy f. o. b. National Bureau of Standards, Washington, D. C.
Iridium.....	\$140
Precious metals.....	32
Palladium.....	18

subject to the following adjustments:

(i) If any lot of material purchased does not contain at least  $\frac{1}{16}$  of an ounce troy of iridium, the sum of \$25 shall be deducted from the purchase price of the entire lot.

(ii) If the ratio of the weight of the iridium contained in each separate class to the total weight of such class shall be less than  $2\frac{1}{2}$  to 100, the sum of \$3 an ounce shall be deducted from the purchase price of such separate class.

(b) As used in this Order No. 7:

(1) "Manufacturing jeweler" means any person who is engaged in any stage of fabrication or assembly of materials or articles for use in or as personal ornaments, time pieces, trophies, exhibit pieces and other similar wares and ornaments.

(2) "Precious metals" means the platinum, ruthenium, osmium, rhodium and gold which may be contained in the material. Palladium is also to be included in the term "precious metals" if 1% or less of palladium exists in any one separate class of the materials offered for sale.

(3) "Lot" means all of the iridium, iridium alloys or iridium-containing scrap shipped at one time by one holder.

(4) "Separate class" means the division by the manufacturing jeweler of any material delivered hereunder into one or more of the three following classifications of material which such manufacturing jeweler may offer, viz:

(i) Raw material: sponge; iridium-containing sheet, wire, bar, et cetera,

(ii) Clean scrap: iridium-containing blanks, settings, findings, and semi-processed, damaged or obsolete jewelry, and

(iii) Other scrap: iridium-containing filings and refines (other than sweepings).

(c) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 7 shall become effective as of October 20, 1942.

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11361; Filed, November 3, 1942;  
1:31 p. m.]

[Order 8 Under MPR 204]

METALS RESERVE CO., ET AL.

PRICES FOR COPPER BASE ALLOY PRODUCTS,  
ETC.

Order No. 8 under Maximum Price Regulation No. 204—Idle or Frozen Materials Sold Under Priorities Regulation No. 13.

An opinion in support of this Order No. 8 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and section 1499.506 of Maximum Price Regulation No. 204 and in accordance with Procedural Regulation No. 1, it is hereby ordered that:

(a) Maximum prices for copper and copper base alloy products and copper and copper base alloy scrap sold or delivered to Metals Reserve Company, Copper Recovery Corporation or any agent thereof. (1) The maximum price for any copper or copper base alloy product sold or delivered to Metals Reserve Company, Copper Recovery Corporation or any agent thereof, pursuant to the program for the acquisition thereof announced by the War Production Board on May 11, 1942, shall be the price set forth in the "Government's Price Schedule for Purchases of Inactive Inventories of Copper and Copper Base Alloy Products" attached to the aforesaid program: *Provided, however*, That the maximum price for any copper or copper base alloy casting shall be the price set forth in Appendix A attached hereto: *And provided, further*, That the maximum price for any copper base alloy ingot, which the holder thereof had signified his willingness to sell prior to August 19, 1942 by the completion and execution of WPB Form 843-B shall be the price established by the General Maximum Price Regulation prior to August 19, 1942 or the price established by Maximum Price Regulation No. 204, whichever is the higher: *And provided, further*, That the maximum price for any copper base alloy ingot which the holder thereof had not signified his willingness to sell prior to August 19, 1942 shall be the price established by Maximum Price Regulation No. 204.

(2) The maximum price for any copper and copper base alloy scrap sold or

delivered to Metals Reserve Company, Copper Recovery Corporation or any agent thereof, pursuant to the program for the acquisition thereof announced by the War Production Board on May 11, 1942 shall be that price set forth in Revised Price Schedule No. 8—Nickel-bearing Scrap Materials, Revised Price Schedule No. 12—Brass Mill Scrap, or Revised Price Schedule No. 20, as amended—Copper Scrap and Copper Alloy Scrap which would have been applicable if the holder of such scrap materials had sold them to a consumer as defined in such Schedules.

(3) As used in this Order No. 8:

(i) "Copper" means copper metal including copper metal produced from scrap.

(ii) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap.

(iii) "Copper or copper base alloy product" means any product made of copper or copper base alloy fabricated to the extent that it is a sheet, rod, tubing, extrusion, casting, forging, wire, powder, ingot or anode, or fabricated to any greater extent.

(iv) "Copper base alloy ingot" means any alloy ingot in the composition of which the weight of copper metal is 40% or more of the total weight of the ingot.

(v) "Copper or copper base alloy casting" means any casting made from copper or copper base alloy except castings in primary form such as ingots, cakes, widge bars, wire bars, billets, anodes, shot, et cetera.

(vi) "Copper and copper base alloy scrap" includes:

(a) Trimmings, borings, clippings, rod ends and similar material;

(b) All obsolete, damaged or imperfect material;

(c) All remnants of material in less than standard mill widths or lengths, except where the seller can establish by invoices that they were received in such form, and

(d) Any material the alloy content of which the seller does not definitely establish on WPB Form 843-A or 843-B.

(4) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(5) This Order No. 8 shall be effective as of August 20, 1942.

Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

APPENDIX A

TABLE A—Base prices to be paid for copper, copper-zinc, copper-lead, or copper-zinc-lead alloy castings<sup>1</sup>  
[In cents per pound]

Copper content (percent)	Base price per pound
Column 1	Column 2
40.00 to 42.50 incl.	18.05
42.51 to 47.50 incl.	18.20
47.51 to 52.50 incl.	18.33
52.51 to 57.50 incl.	18.48
57.51 to 62.50 incl.	18.63
62.51 to 67.50 incl.	18.76
67.51 to 72.50 incl.	18.90
72.51 to 77.50 incl.	19.04
77.51 to 82.50 incl.	19.19
82.51 to 87.50 incl.	19.33
87.51 to 92.50 incl.	19.46
92.51 to 97.50 incl.	19.60
97.51 to 100.00 incl.	19.75

TABLE B—Allowances to be added to base prices in table A for alloys containing tin, nickel, or aluminum  
[In cents per pound]

Tin content (percent)	Allowance to be added to base price from table A	Nickel content (percent)	Allowance to be added to base price from table A	Aluminum content (percent)	Allowance to be added to base price from table A
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
0.25 to 2.00 incl.	0.70	0.50 to 3.00 incl.	0.64	0.50 to 2.00 incl.	0.69
2.01 to 4.00 incl.	1.40	3.01 to 6.00 incl.	1.26	2.01 to 4.00 incl.	0.12
4.01 to 6.00 incl.	2.10	6.01 to 9.00 incl.	1.90	4.01 to 6.00 incl.	0.18
6.01 to 8.00 incl.	2.80	9.01 to 12.00 incl.	2.54	6.01 to 8.00 incl.	0.24
8.01 to 10.00 incl.	3.51	12.01 to 15.00 incl.	3.16	8.01 to 10.00 incl.	0.31
10.01 to 12.00 incl.	4.22	15.01 to 18.00 incl.	3.79	10.01 to 12.00 incl.	0.38
12.01 to 14.00 incl.	4.91	18.01 to 21.00 incl.	4.40	12.01 to 14.00 incl.	0.43
14.01 to 16.00 incl.	5.61	21.01 to 24.00 incl.	5.05	14.01 to 16.00 incl.	0.49
16.01 to 18.00 incl.	6.31	24.01 to 27.00 incl.	5.69	16.01 to 18.00 incl.	0.55
18.01 to 20.00 incl.	7.01	27.01 to 30.00 incl.	6.32	18.01 to 20.00 incl.	0.61
20.01 to 22.00 incl.	7.71	30.01 to 33.00 incl.	6.96	20.01 to 22.00 incl.	0.67
22.01 to 24.00 incl.	8.41	33.01 to 36.00 incl.	7.59	22.01 to 24.00 incl.	0.73
24.01 to 26.00 incl.	9.26	36.01 to 40.00 incl.	8.22	24.01 to 26.00 incl.	0.80

<sup>1</sup>No alloying elements other than copper, zinc, lead, tin, nickel, or aluminum are to be considered for determining the prices to be paid for copper base alloy castings.

[F. R. Doc. 42-11362; Filed, November 3, 1942; 1:31 p. m.]

[Order 3 Under RPS 84]

WOODALL INDUSTRIES, INC.

ORDER APPROVING MAXIMUM PRICE

Order No. 3 under Revised Price Schedule No. 84—Radio Receiver and Phonograph Parts.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority

vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, It is ordered:

(a) Woodall Industries, Inc. is authorized to sell, offer to sell or deliver its radio cabinet back, Detrola Radio Part 8634, at a price no higher than \$162.50 per 1000 pieces, in quantities of 500 pieces, exclusive of federal excise tax, f. o. b. seller's point of shipment, subject

to discounts, allowances and terms no less favorable than those customarily granted by it.

(b) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 3 shall become effective on the 3d day of November 1942. Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11359; Filed, November 3, 1942;  
1:32 p. m.]

[Order 37 Under RPS 64]

CALORIC GAS STOVE WORKS

ORDER APPROVING MAXIMUM PRICES

Order No. 37 Under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On May 9, 1942, Caloric Gas Stove Works, Philadelphia, Pennsylvania, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices for two new models of gas ranges designated in the application as Models Nos. 4207-1 and 4207-2.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250, *It is hereby ordered:*

(a) Caloric Gas Stove Works may sell, offer to sell or deliver the following new model gas ranges at prices no higher than those specified:

Model No. 4207-1 \$27.35 f. o. b. factory to dealers.

Model No. 4207-2 \$24.02 f. o. b. factory to dealers.

subject to discounts, allowances and terms no less favorable than those in effect with respect to the respective comparable Models Nos. 4017-1 and 4017-2.

(b) This Order No. 37 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 37 shall become effective on the 3d day of November 1942. Issued this 3d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11363; Filed, November 3, 1942;  
1:31 p. m.]

[Order 17 Under RPS 57, Correction]

C. H. MASLAND AND SONS

ORDER ADJUSTING MAXIMUM PRICES

Correction of Order No. 17 under Revised Price Schedule No. 57—Wool Floor Coverings.

No. 218—6

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, it is ordered that paragraph (a) of Order No. 17 under Revised Price Schedule No. 57 be corrected to read as set forth below:

(a) C. H. Masland & Sons may sell, offer to sell or deliver the new fabrics designated at "MWC-4" and "WMC-6" at prices no higher than \$2.81 and \$2.35 respectively, per running yard of three-quarter carpet, f. o. b. mill, subject to discounts, allowances, rebates and terms no less favorable than those in effect with respect to the maximum prices for "Peggy Shippen" and "Woodbine" as established by Revised Price Schedule No. 57.

(e) This correction to Order No. 17 under Revised Price Schedule No. 57 shall be effective as of September 24, 1942.

Issued this 2d day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-11223; Filed, November 2, 1942;  
2:23 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 55-85]

YORK RAILWAYS COMPANY

ORDER APPROVING MAXIMUM ALLOWANCES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 2d day of November 1942.

In the matter of York Railways Company, debtor in possession. Applications by: Saul, Ewing, Remick & Harrison, Counsel for York Railways Company; Manuel Kraus and I. H. Krekstein, Tax Consultants for York Railways Company; Tradesmens National Bank and Trust Company, Trustee for Bondholders of York Railways Company; Evans, Bayard and Frick, Counsel for Tradesmens National Bank and Trust Company; Day & Zimmerman, Inc., Expert Witness for York Railways Company.

Applications having been filed by Saul, Ewing, Remick & Harrison; Manuel Kraus and I. H. Krekstein; Tradesmens National Bank and Trust Company; Evans, Bayard and Frick; and Day & Zimmerman, Inc., pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935 and Rule U-63 promulgated thereunder, for approval of the maximum amounts that may be presently paid to said applicants for services rendered in connection with the reorganization of York Railways Company, a subsidiary of NY PA NJ Utilities Company, a registered holding company, and an indirect subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, such reorganization of said York Railways Com-

pany in which the debtor is in possession being now pending before the United States District Court for the Eastern District of Pennsylvania;

Public hearings having been held upon such applications, after appropriate notices, and the interested parties having waived submission of proposed findings of fact, filing of briefs and oral argument; the Commission having considered the record and having made and filed its findings and opinion herein;

*It is ordered,* That the following amounts be, and the same hereby are, approved as maximum allowances for services rendered that may apparently be paid out of the estate of York Railways Company, debtor in possession:

To: Saul, Ewing, Remick & Harrison, maximum interim allowance for period November 30, 1937 to December 31, 1941.....	\$15,000.00
Kraus and Krekstein, maximum final allowance in full compensation for services rendered in settling Pennsylvania capital stock tax of debtor for years 1928-1940.....	6,000.00
Evans, Bayard and Frick, maximum interim allowance for period November 30, 1937 to November 1 1941.....	3,000.00
Tradesmens National Bank and Trust Company, maximum interim allowance for period November 30, 1937 to November 1, 1941.....	2,500.00
Day & Zimmerman, Inc., maximum final allowance for period November 30, 1937 to December 31, 1941, in full compensation for services rendered as expert witness with respect to valuation of debtor for purposes of plan of reorganization.....	623.46

By the Commission.

[SEAL] ORVAL L. DUROIS,  
Secretary.

[F. R. Doc. 42-11374; Filed, November 4, 1942;  
9:40 a. m.]

[File No. 811-449]

COMMODITY CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of November, A. D. 1942.

Commodity Corporation, a registered investment company, having filed an application pursuant to the provisions of section 8 (f) of the Investment Company Act of 1940 for an order declaring that it has ceased to be an investment company within the meaning of the said Act;

*It is ordered,* That a hearing on the aforesaid application be held on the 10th day of November 1942, at 10:00 o'clock in the forenoon of that day in the hearing room of the Securities and Exchange Commission Building at 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room

318 will advise interested parties where such hearing will be held.

*It is further ordered*, That Willis E. Monty, Esquire, or any other officer of the Commission designated by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-11375; Filed, November 4, 1942;  
9:46 a. m.]

[File Nos. 70-593, 70-594]

JOSEPH B. ELY, ET AL.

#### ORDER GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of October 1942.

In the matter of Bellows Falls Hydro-Electric Corporation, File No. 70-593; Joseph B. Ely, C. Brooks Stevens, and Henry G. Wells, as Trustees under a Trust Agreement dated January 31, 1939, File No. 70-594.

Joseph B. Ely, C. Brooks Stevens and Henry G. Wells, as Trustees under a Trust Agreement dated January 31, 1939, a registered holding company, having filed an application pursuant to section 12(d) of the Public Utility Holding Company Act of 1935 and Rule U-44 thereunder with respect to a sale by Olcott Falls Company, a subsidiary company, of all of its physical properties and franchises which include the so-called Wilder Power Development at Hartford, Vermont and Lebanon, New Hampshire, on the Connecticut River, to Bellows Falls Hydro-Electric Corporation for a consideration of \$200,000 in cash; and

Bellows Falls Hydro-Electric Corporation, a subsidiary company of New England Power Association, a registered holding company, having filed an application pursuant to section 10 of said Act with respect to the purchase and acquisition of the aforementioned property of Olcott Falls Company for the purchase price of \$200,000; and

A public hearing having been held with respect to said applications after appropriate notice and the Commission having considered the record in these matters and having made and filed its findings and opinion with respect thereto; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to

grant said applications pursuant to the applicable Sections of the Act and the rules thereunder;

*It is hereby ordered*, Pursuant to the applicable provisions of said Act and to the applicable Rules thereunder, subject to the terms and conditions prescribed in Rule U-24, that each of the aforesaid applications with respect to the transactions therein described be, and hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-11378; Filed, November 4, 1942;  
9:47 a. m.]

[File No. 70-607]

#### VIRGINIA ELECTRIC AND POWER COMPANY

##### ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of October 1942.

Virginia Electric and Power Company, a subsidiary company of Engineers Public Service Company, a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from Section 6 (a) of said Act of the issue and sale by it of \$4,000,000 aggregate principal amount of notes to be dated November 2, 1942, to mature \$500,000 principal amount on November 1, 1944 and a like principal amount on each May 1 and November 1 thereafter up to and including May 1, 1948 and to bear interest at the rate of two and one-quarter percentum (2¼%) per annum payable semi-annually, said notes to evidence borrowings from the following banking institutions in the following amounts:

The First National Bank of Boston, Boston, Mass.	\$2,872,550
First and Merchants National Bank of Richmond, Richmond, Virginia.	263,750
State-Planters Bank and Trust Company, Richmond, Va.	281,400
The Central National Bank of Richmond, Richmond, Va.	82,300
National Bank of Commerce of Norfolk, Norfolk, Va.	300,000
The Seaboard Citizens National Bank of Norfolk, Norfolk, Virginia.	200,000
	4,000,000

A public hearing having been commenced after appropriate notice and evidence on the application having been taken and the applicant having requested that the Commission grant the application to the extent of permitting the issuance of the notes but that the Commission reserve jurisdiction as to what terms and conditions shall be attached to the Commission's order with respect to the treatment by the applicant of accelerated amortization allowed for Federal Income Tax purposes by reason of

the fact that applicant holds certificates of necessity issued pursuant to Section 124 of the Internal Revenue Code with respect to the construction of applicant's Chesterfield Plant in Chesterfield County, Virginia; and

The Commission finding that the issue and sale of said notes are solely for the purpose of financing the business of applicant and have been expressly authorized by the State Corporation Commission of the Commonwealth of Virginia, the state in which applicant is organized and does business, and by the Utilities Commission of the State of North Carolina, in which state applicant also does business, but that further evidence should be taken with respect to what terms and conditions, if any, should be attached to its order as aforesaid:

*It is ordered*, That the issue and sale of said notes be and the same hereby are exempt from the provisions of Section 6 (a) of said act to the extent of permitting such issuance and sale by applicant, the Commission reserving jurisdiction to impose after further hearings herein such terms and conditions as it may deem appropriate in the public interest or for the protection of investors and consumers.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-11377; Filed, November 4, 1942;  
9:47 a. m.]

[File No. 70-612]

#### SOUTHERN NATURAL GAS CO.

##### ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of October, A. D. 1942.

Southern Natural Gas Company, a registered holding company and a subsidiary of a registered holding company, having filed an application and amendments thereto, pursuant to Section 10 of the Public Utility Holding Company Act of 1935, for the acquisition of certain gas, oil, and mineral leases in and adjacent to the Bear Creek gas field in Louisiana, together with the wells, gathering lines, and certain other properties for a cash consideration of approximately \$1,798,000;

A public hearing having been held after appropriate notice; and the Commission having considered the record in this matter and having made and filed its Findings and Opinion herein;

*It is ordered*, That said application, as amended, be and the same hereby is granted forthwith, subject, however, to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-11376; Filed, November 4, 1942;  
9:46 a. m.]